MARCH 12, 2007

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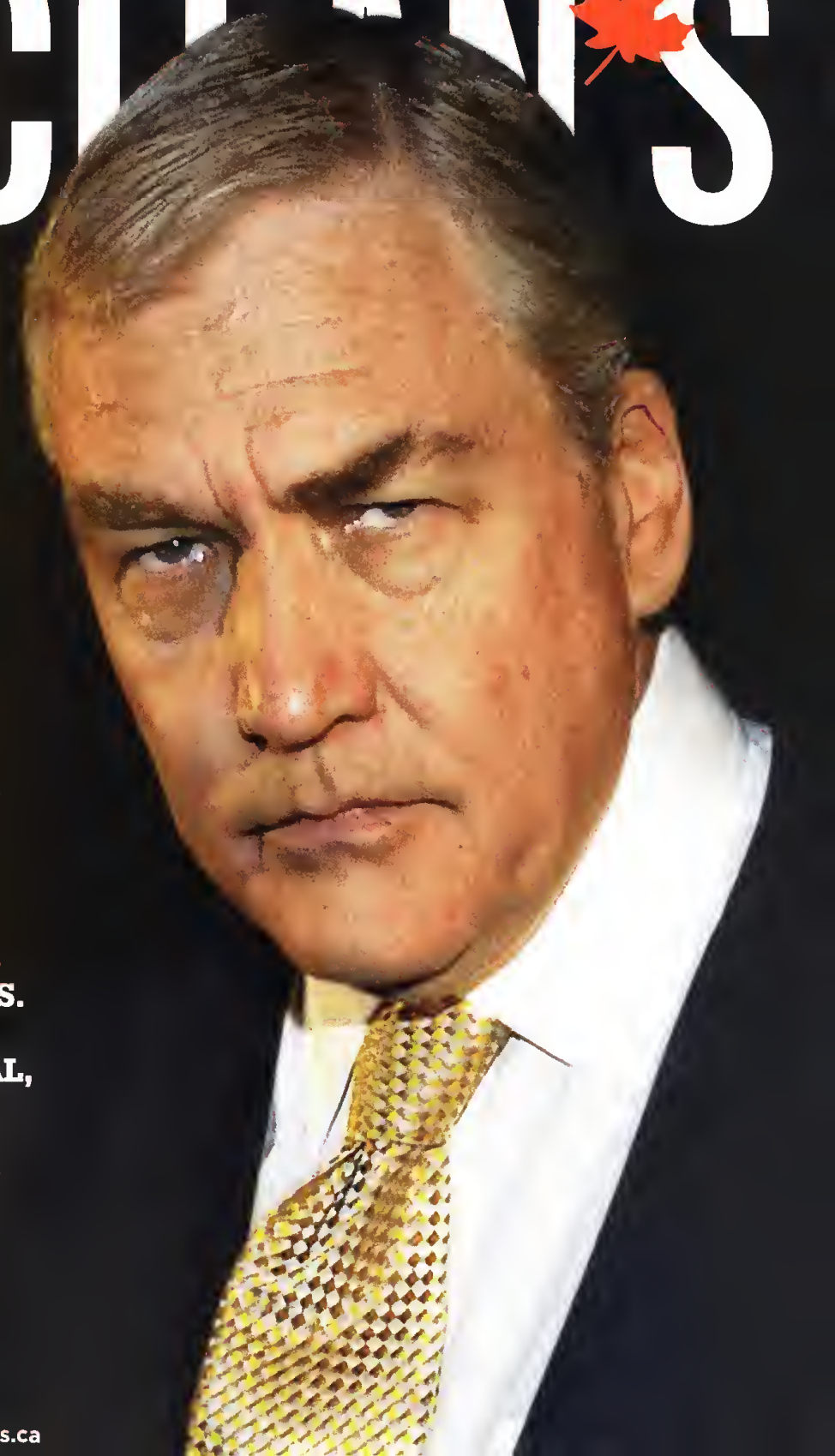
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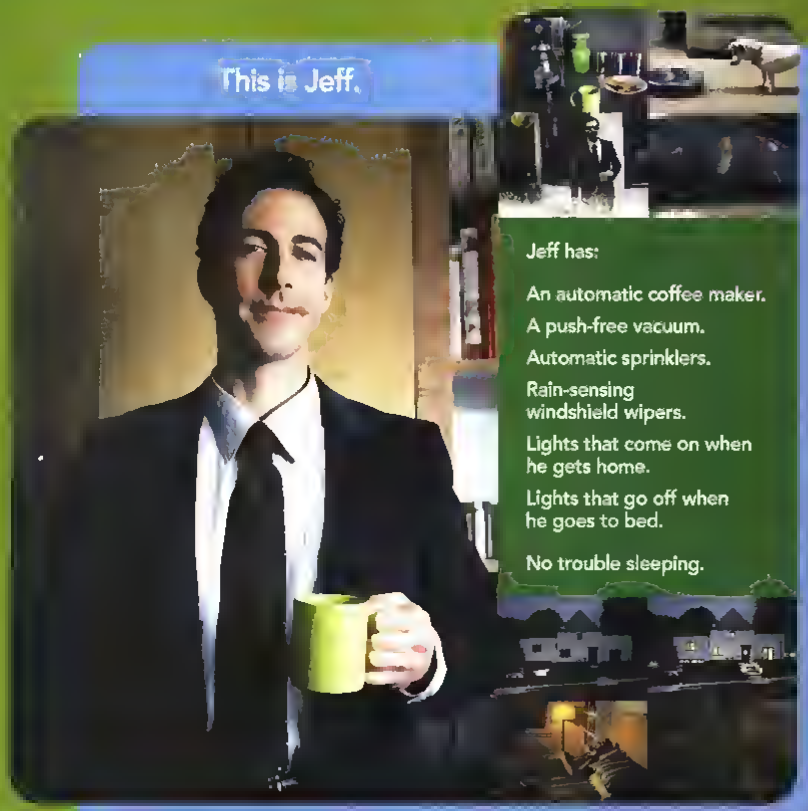
THE UNITED STATES ★★ VS. ★★ CONRAD BLACK



THE CASE. THE PLAYERS. THE STRATEGIES. THE ODDS OF ACQUITTAL, AND THE THREAT OF LIFE IN PRISON. P.24

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MACLEANS.CA Starting this week *Macleans.ca* brings you the country's richest resource of national affairs commentary with the new **Maclean's 50**. With profile, experience and strong opinions, our group of commentators—from politicians and activists to journalists and academics—weigh in on the big issues. From former Liberal ministers **Lloyd Axworthy** and **Allan Rock** to conservatives **Tom Flanagan** and **Rick Anderson**, **Maj.-Gen. Lawis MacKanzia** to **Irshad Manji**, they'll challenge our readers—and each other—as they comment directly on our original online coverage.

A FEW REASONS TO BUY A SONY BRAVIA LCD TV.

FROM WOMEN ACROSS CANADA



BARBARA ATKIN, FASHION DIRECTOR, HOLT RENFREW

Design integrity is important to me and the BRAVIA offers the total package. It's thin, sleek and stylish and adds beauty to my décor. It's like a piece of art.



AMANDA BLAKLEY, NATIONAL MANAGER OF SPECIAL EVENTS, RETHINK BREAST CANCER

With its high definition, sharp contrast and vibrant colour the BRAVIA really brings the in-stadium or front-row experience to your couch while watching anything from sports to fashion shows.



SARAH THONSON, PUBLISHER, WOMEN'S POST

I hooked up my laptop to the BRAVIA and searched the web for a holiday destination. The whole family was able to see the places I had picked and give the thumbs up, or thumbs down to it.



JANE KERR, SENIOR EXECUTIVE, ACCENTURE AND 1988 OLYMPIC BRONZE MEDALIST, SWIMMING

I was really surprised by the impact the BRAVIA would have on my television viewing experience. BRAVIA HD has transformed the way I watch TV.



JULIE SELBY, ADVERTISING CLIENT SERVICES DIRECTOR

Making TV commercials is part of what I do for a living, so my expectations of BRAVIA were high. But BRAVIA delivered. The vibrant colour and the accuracy of the image are unsurpassed.



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FROM SOME GUY IN OUR LAB

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The Full HD 1080 BRAVIA can display every single pixel that comprises a true "Full High Definition" image. And by every single pixel, I mean 2 million of them. Most televisions that claim to be HD show HD images but not necessarily at the best definition available.

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HIGH CONTRAST RATIO DOESN'T MEAN NOW MUCH. YOU'LL HATE YOUR OLD TV

High contrast ratio may sound like scientific mumbo jumbo, but it's really quite a simple measurement of picture contrast. It's the difference between the blackest blacks and the whitest whites of the picture. And BRAVIA has one of the best contrast ratios available today.

BRAVIA's own technology called ACE (Advanced Contrast Enhancer) automatically senses the contrast levels of the incoming video signal and constantly adjusts the intensity of the backlight to match the scene. Technically speaking, BRAVIA XBR models have a 7000:1 dynamic contrast ratio with ACE or an industry-leading 1300:1 on-screen contrast ratio. In non-mumbo jumbo, that means a crisp, sharp image you won't be able to tear your eyes off of.

THE BRAVIA ENGINE. WHAT MAKES THE BRAVIA TICK - NAKE THAT PURR.

BE BRAVIA ENGINE

Simply put, the BRAVIA Engine™ makes the picture better. It's Sony's most advanced video processing system and is the culmination of our legendary picture quality expertise. BRAVIA Engine™ takes the signal and filters, cleans and enhances the image to decrease fuzziness and noise and increase the contrast of the picture.

The Bravia XBR LCD TVs with the Bravia Engine™ Pro take things even further with the Digital Reality Creation – Multi Function or DRC-MFv2.5 for short. This advanced system converts every single signal that comes into the TV into a Full 1080 High Definition image whether the signal is High Definition or not. After all, you want to see it all. And BRAVIA brings it.

SPEND YOUR TIME WATCHING IT, NOT HOOKING IT UP

What good is a great television if you can't hook things up to it? BRAVIA has all the hookups you'll ever need. All the industry standard connections are included: HDMI, Component, S-Video, Composite, PC and Audio. Take your pick from these inputs and connect cable, HD satellite, DVD, digital camera, camcorder or computer. Pick your favourite source - BRAVIA can connect to it.

BRAVIA. THE BEST TELEVISION IN THE WORLD. OR THE LAB.



So that's the BRAVIA, in a pretty big nutshell. See for yourself what all the detailed pixels and the goose bumps are all about. BRAVIA even offers you environmental peace of mind. It's Energy Star compliant, and it consumes significantly less power than a comparable plasma TV* from a leading competitor.

See BRAVIA at sonystyle.ca/bravia or visit your Sony store, authorized Sony retailer or call us at 1-888-289-7669. And remember, style changes everything.

*Comparison made between the BRAVIA 40 inch LCD and a 42 inch Plasma Television from a leading competitor, based on published power specifications.

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JOHN GRESS/REUTERS

CONRAD BLACK has been resented, mistrusted and feared. But he's always been compelling.

Fate and fascination

Maclean's first profiled Conrad Moffat Black—the cover subject of this week's magazine—in January 1978. We called him "a young businessman whose future will be one of the most fascinating to watch," which turned out to be right on the money.

Our description as to what made him fascinating was reasonably accurate as well. "Articulate, educated, blessed with a photographic memory and the proper social graces—his influence is so vast that he seems to be everywhere, in business, Conservative politics, even literature."

In the three decades since, Black has never ceased to enthrall. He is a unique and ubiquitous figure in a country starved of internationally ambitious business leaders. His ownership of such iconic mastheads as the *Daily Telegraph*, *Chicago Sun-Times* and *Jerusalem Post*, plus the bulk of Canada's significant daily newspapers, made him at one point the third-largest newspaper publisher in the world. By the time he launched the *National Post* in 1998, he enjoyed a global profile on both the business and society pages.

In recent years, he has wielded as much political influence in this country as any other individual outside of government. Many of his criticisms of former prime minister Jean Chrétien had gained broad acceptance by the time his administration came to its troubled close. The current Harper government is to some extent a reflection of what Black has long advocated: a more reasoned, distinct and united conservative political movement in this country.

Black has also served the cause of literature. In 1978 we marvelled at his authoritative biography of Maurice Duplessis. In 2005 he published a critically acclaimed biography of Franklin D. Roosevelt. This May, a new biography of Richard Nixon is set to appear. He provided personal and financial support to what were the finest magazines in Canada and Britain under his stewardship, the late, lamented *Saturday Night*, and the *Spectator*. He wrote a bestselling autobiography and served as muse to no less than five biographers (others, no doubt, wait in the wings).

While many Canadians, over the years, resented, mistrusted or feared Black, there were always at least as many who admired and celebrated him. That began to change in 2003 when he was unseated at Hollinger and held up as an international symbol of corporate excess and the dangers of unbridled capitalism. He has been struggling to regain his reputation ever since. His current legal battles in the U.S. on a variety of fraud charges are well documented elsewhere in this issue and need not be repeated here. It is worth reminding readers, however, of Black's steady insistence that he is innocent of the charges, and of our report last month revealing the dismal performance of the Hollinger business empire subsequent to his departure. (Mark Steyn has more to say on the latter on page 54.) Aside from promising a compelling spectacle, his trial raises important issues about corporate culpability and, more broadly, the prosecution of justice in North America.

Regardless of your personal feelings for the man, Conrad Black is today more fascinating than ever before. In devoting half the pages in this issue to him, we may well be selling our readers short. M

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'We need to be reminded that humans cannot control climate change. Affect, yes.'



CODDLING THE KIDS

I ABSOLUTELY LOVED the Q & A with social worker and author Michael Ungar about over-ptotected kids (Interview and cover, Feb 26) We moved to Canada from eastern Eutope nearly 20 years ago, and still the main culture shock comes from watching parents deny their kids any oppottunity to learn common sense or independence This is extremely apparent at the college level Most students want clear instructions and they have trouble handling uncertainty For their part, parents are paranoid about anyone—including other kids—harming their children We get the evil eye from other patents for letting our son deliver papers, ride on public transportation during the day or go to soccer practices with out us We sometimes wonder if there is truly something wrong with our approach, but your article shows that common sense is start ing to prevail after all
Jana Durech, Kelowna, B.C.

I AM RISKING severe criticism (ot worse) in telling you that your cover line should have read "How women are killing kids with cau tion while men stand by and do nothing" Women worry, which means they want to be sure the kids don't do anything childish Men find it easier to say nothing and avoid arguments
Rob Wilhams, Parksville, B.C.

NOT ONLY are we killing our kids with cau tion, we are destroying the Canadian culture of individual self-reliance by vainly trying to protect everyone from all hazatds at all times, and most insanely, by enacting legislation to protect citizens from themselves in the form of mandated motorcycle and bicycle helmets I don't want to give the safety Nazis any sug-gestions, but I am afraid we have not seen the end of this campaign yet.
H.B. Unrau, Edmonton

Maclean's omitted the photo credit for the Feb. 26 cover. The picture was taken by Kourosh Keshiri.

INCOME TRUST OUTRAGE

IN YOUR ARTICLE on income splitting ("More green for all," National, Feb 19), you state that "unlike the income trust lobby effort, this had all the hallmarks of a teal grassroots movement" Have you managed to detect no sign of a grassroots reaction to income trust taxation? Do none of your employees hold a pension plan or a mutual fund that invests in income trusts? If they did, you might know that the grossly unfair and entirely unwar ranted proposed taxation of income trusts will affect the income and lives of millions of working Canadians who have managed to save some money, and then invested in Can-adian businesses to earn income The Con-servative party may fantasize that I can some how earn money from an income trust without paying personal income tax on it at a rate higher than the tax Finance Minister Jim Fla herty intends to impose, but I'm sure Rev-enue Canada will have other ideas
Peter Simmons, Vancouver



HIDING TOXIC TAR

IT IS DISAPPOINTING that the tar ponds are not cleaned up in a mote complete way than treating the toxic sludge and cementing over the blighted area ("Goo away," Good News, Feb. 12) Technologies are available to treat and eliminate waste on-site permanently with a portable reactor The reactor breaks the bonds of hazardous themicals until they are reduced to the basic harmless components of the pollutant. These organic components can be tecycled to cool the reactor, or used as fuel. The inorganic components can be recycled by industry This Canadian technol ogy has already been used effectively all around the world It's time to stop covering up out messes and start cleaning them up for good Our half assed attempts in the past should be an indicator of what choices we should be making for our future
Tina Tapannen, Calgary

GOODBYE CRUEL WORLD

BRIAN BETHUNE'S ARTICLE about forecasts of imminent disaster ("The end of days," Sci ence, Feb 26) is way off the mark, as is the Armageddon community's pinpointing of 2012 as checkout time Everyone should relax. As far as I'm concerned, the plug can be pulled when the Leafs win the Stanley Cup and the Blue Jays win the World Series in the same calendar year.
Fraser Petrick, Kingston, Ont.

THIS PIECE is pure hogwash. Brian Bethune does not know what the Mayans foresaw, I do not know why anyone would pay atten tion to psychics, and I challenge you to find a "serious" scientist who foresees disaster in 2012 The statement that "The earth's shrink ing magnetic field is already displaying cracks the size of California" makes no sense Although the magnetic field is decreasing, it is not pre-dicted to reverse in 2012, and the last time it did reverse, there was no evidence that life on earth was significantly affected Bethune does a serious disservice with such misinformation and it makes non-scientists skeptical about real problems such as global warming
Dr. Jack Uetrecht, Professor of Pharmacy and Medicine, Faculty of Pharmacy, University of Toronto, Toronto

THANKS FOR Bethune's article We need to be reminded occasionally that humans can not control climate change Affect, yes Con trol, no Inconvenient, but true
William Armstrong, Ottawa

CONRAD BLACK'S FORTUNES

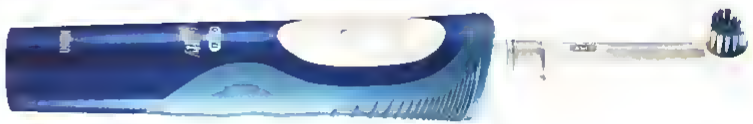
CONGRATULATIONS ON a thorough and nicely balanced review of the Black/Hollinger vendetta ("A waste of effort?" Business, Feb 19) It sure doesn't make sense to me to kill the bountiful Hollinger goose just because one of the golden eggs had a spot of tarnish Say what you like about Conrad Black, he was never dumb enough to sell off his prize assets and saddle his company with legal bills of $130 million and counting, just to be picky And the reason for this goofy corporate cam paign? The protection of shareholders who, instead of reaping the rewards of enlightened



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MAIL BAG

'The advice that women should "just do it" is laughable'

management, have seen the stock drop from US$20 to US$4.38. Heaven protect us all from American justice.
Harry Furniss, Victoria

YOUR STORY was a skilled effort to put an entirely different slant on this sad affair—it was all a mistake, a misunderstanding, a media circus and so on. Well, let us see what the criminal court in the U.S. has to say.
Bernie Baumgartel, Surrey, B.C.

LISTEN UP, GUYS

I JUST FINISHED reading Julia McKinnell's story based on the new book, *Babyproofing Your Marriage* ("Why don't you want to anymore?" Help, Feb. 26), and I am disgusted and amused. This reads like *Playboy*'s advice column: misogynistic and ludicrous. The advice that women should "just do it" is laughable. If your husband is such a jerk that he would manhandle an uninterested woman, then he doesn't deserve you. That idiot "Ron" who feels that five-minute oral sex would transform his marriage needs to look at what really needs help—his selfish stance.
C.B. Allen, Grande Prairie, Alta.

I STARTED having a panic attack reading all the bad news in the Feb. 26 issue. But what really sent me over the edge was learning that oral sex is the road to marital accord. Pass the Valium!
Lisa Scott, Calgary

IN PASSING

Lothar-Guenther Buchheim, 89, author. He penned numerous works, including *The Fortress* and *The Parting*, but it was his autobiographical novel, *Das Boot*, for which he is best known. The book about life aboard a German submarine in the Second World War became a phenomenon in Germany and was made into a celebrated film in 1981.

Damien Nash, 24, football player. The running back for the NFL's Denver Broncos collapsed and died in St. Louis following a basketball game organized to raise funds for a foundation for heart-transplant research. Nash's brother is a recent transplant recipient. The cause of his death was not immediately known.

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A WEEK IN THE LIFE OF DICK CHENEY

The U.S. vice-president got some new neighbours in Washington last week when the Iraqi government set up its new temporary embassy in a US$5.8 million mansion down the street from his home on Massachusetts Avenue. On Sunday, due to a power surge on Air Force Two, Cheney had to endure a flight to Singapore without hot food or in-flight cinema. In Afghanistan on Tuesday, the VP was targeted but unharmed in a Taliban suicide bomber attack at a U.S. military base.

Good news

Moving forward

We are heartened to see that, one year into Canada's current mission in Kandahar, discourse is finally beginning to shift toward rebuilding the devastated nation. On Monday, Stephen Harper's Conservatives pledged another $200 million towards reconstruction efforts, to be allocated primarily to governance, development, policing and infrastructure. Of course, the news was tempered by a report delivered on Monday by Foreign Affairs Minister Peter MacKay that concluded that, while there are grounds for cautious optimism in Afghanistan, Taliban insurgents are still active and Kandahar is not secure. That same day, Britain reaffirmed its commitment to the NATO mission by announcing its intention to dispatch another 1,400 desperately needed troops.

The Conciliator

California Gov. Arnold Schwarzenegger has emerged as the unlikely face of feel-good bipartisanship in the United States. At a speech to the National Press Club on Monday, the former action star criticized Washington's culture of impotent antagonism. "Politics is about give-and-take," he said. "You can't catch a socially transmitted disease by sitting down with people who hold ideas different from yours." While the Republican party in general has undergone a steady decline in popularity this past year, Schwarzenegger's star has been on the up-and-up ever since he announced plans for universal health coverage and a cap on greenhouse emissions in California. On Monday, he joined forces with four other governors—Republicans and Democrats—to work on devising creative solutions to climate issues.

Racking up credit

If Monday's US$32 billion TXU Corp. takeover deal by a private equity group was any indication, mainstream corporations are finally beginning to factor greenhouse gas emissions into the cost of doing business. In order to appease environmentalists, the new owners of the power company agreed to scrap eight coal-fired power plants that TXU had planned to build, preventing 56 million additional tonnes of carbon emissions annually.

FACE OF THE WEEK



A 1909 HONUS WAGNER baseball card, once owned by Wayne Gretzky, was auctioned off this week for a record US$2.35 million.

Early warning signs

U.S. scientists have devised a revolutionary "colour test" that can identify lung cancer by detecting the particular chemical changes that occur in the breath of those with the disease. In other strange diagnostic news, a violent hockey attack in Saskatchewan may have actually saved a man's life last week. Dale Neudorf, a 45-year-old referee, was cross-checked in the face by an angry player during a recreational game. Doctors took an X-ray and were stunned to discover a large brain tumour that, had it not been found, may have been lethal.

Bad news

Not tough enough

The UN Security Council needs to send a more powerful message to Iranian President Mahmoud Ahmadinejad and those who facilitate his nuclear power program—because the old one isn't working. Bloomberg reported last week that countries and companies across Europe and Asia are choosing to defy explicit U.S. warnings against dealings with Iran in favour of tapping into highly lucrative Iranian oil and gas reserves. On Monday, diplomats from the U.S. and five other nations convened in London to design a new set of sanctions to thwart Iran's suspected efforts to develop nuclear arms. Let's hope the winning formula arrives quickly. On Sunday, Ahmadinejad told Iranian media that his pursuit of nuclear power was like a train "without brakes."

Polar predicament

On Monday, Germany's agriculture minister announced his intention to ban the import of seal products from Canada. Animal rights activists herald the ban as a victory. But before they celebrate, they may want to consider more immediate threats to the animals: according to a CBC report, ice floes near Baffin Island are melting at such an alarming rate that seal pups are disappearing through cracks in thin ice.

Living large

According to a WHO survey, over 90 per cent of residents in the South Pacific nations of Nauru, Micronesia, the Cook Islands and Tonga are obese. Officials speculate this is due to the introduction of cheap Western junk food and a lack of exercise. Also, in some parts, girth is considered a sign of beauty and good health. Perhaps this is why, when Tongans rioted last fall in pro-democracy demonstrations, one of their primary looting targets was a supermarket.

D'ough!

In recent years, Krispy Kreme has been slammed by the low-carb diet frenzy. Now, in a misguided effort to recover the brand, the chain has introduced a 180-calorie, 100-per-cent whole wheat doughnut to its menu. Though McDonald's and others have had some success with healthy menu options, we predict a poor showing for the whole wheat Krispy Kreme. You can dip a doughnut in bran flakes and smother it in soy paste—but not even the most permissive nutritionist in the world will call it health food.

That's ruff

The latest threat to children's safety? Lassie. Last week, lending support to the recent *Maclean's* report on bubble-wrapped children, the *British Medical Journal* published a recommendation that no child be left unattended with any dog at any time. Some best friend we are. M

KATHY WILLENS/AP





MITCHEL RAPHAEL ON THE PM AND THOSE PUFFY PROPS AND TRUDEAU'S DELILAH

PM'S COLOUR SCHEME ALMOST RUINED

As Bill Gates and Stephen Harper were about to make their $139-million HIV vaccine research centre announcement, panic ensued: there weren't enough Canadian flags to form a full backdrop for the cameras. An extra flag was brought in but was quickly rejected. It was a different red from the rest of the flags and would throw off the whole press conference colour scheme. The remaining flags were divided up, some were placed behind the podiums and others behind the desk where the agreement was to be signed. Ministry of Health officials were then upset because the beautiful leather signing folders they had obtained for the announcement were not used for the ceremony. They were told they were too puffy. And though some might argue puffier props make the people behind them look slimmer, PMO staff say that they have been having problems with pens poking through the paper when the signing is done on a too padded surface. The PM's speech got interesting when he stated, "While the ultimate goal is to develop a cure, we must also work on preventative measures to halt the spread of this disease." Though the PM was short on the details, in AIDS speak "prevention" means frank discussions about sexuality, as well as condom distribution in high schools and gay bathhouses. Well, now that he's acknowledged global warming, anything's possible.

WHO ARE THE GRITS TO CRY THE LINE-DANCING BLUES?

It's not exactly red carpet Oscar fashion, but a few MPs were recently stirring up the sartorial pot. When Agriculture Minister **Chuck Strahl** rose in the Commons wearing his blue jeans, Liberals jeered, "What, is there line dancing in the House?" But the Grits have "line dancers" of their own, the most notorious being the often denim-clad Montreal MP **Marlene Jennings**.

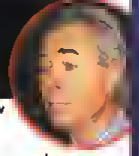
When Capital Diary recently saw **Michael Ignatieff** wearing a red scarf, it was not one of the many name embroidered ones his followers handed out at the Liberal convention. Those scarves are too short to really wrap around your neck during Ottawa's winter, says Ignatieff's wife, **Zsuzsanna Zsohar**. So she bought him a longer one.

When Toronto MP **Olivia Chow** sported a red jacket, other MPs seriously asked her if she was going to the Liberals. With the balance of power so slim, everyone is on floor-crossing edge. But Chow was wearing red to celebrate the Chinese New Year. She has no intention of leaving the NDP, especially since her husband, **Jack Layton**, just scored most charismatic national party leader in a recent Strategic Counsel poll. Charisma, says Chow, is based on "personality and presence and also in what you believe in. Jack is consistent and very clear on what he wants to do. He's been clear on the environment all this time." And, she adds, "he has good muscle tone."

COLOUR WARS Some MPs wonder why Chow wears red







BLOC MP Vivian Barbot (left) beat Pettigrew (right), and she is ready to take on Trudeau

TRUDEAU ROUSES BLOC MILITANTS

Justin Trudeau's announcement that he will seek the Liberal candidacy for the working-class and multi-ethnic riding of Papineau has helped the incumbent Bloc MP **Vivian Barbot**. "People started calling the office to say they wanted to come work for us," says the Haitian-born MP. "[Trudeau's announcement] was the boost for the militants to be aware that there might be a [federal] election soon." Barbot says she has never met Trudeau, nor seen him in her riding. "I don't go to jet-set parties and I don't particularly stay in Westmount or Outremont." Barbot cut down former foreign affairs minister **Pierre Pettigrew** in the last election, so if Trudeau wins the nomination, a second long-haired male candidate should not be a problem for the Bloc's Delilah. **Stéphane Dion** says Trudeau will get no special treatment in the nomination process. Maybe a sex change would help. M

BILL GATES and Stephen Harper sign a $139-million research deal



PHOTOGRAPHS BY MITCHEL RAPHAEL

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Mario Dumont: The man to watch in Quebec



PAUL WELLS

A good election campaign always kills at least one myth I've heard my whole career that Canadians won't tolerate winter campaigns. Yet here's Quebec following the winter federal campaign of 2006 with the winter provincial campaign of 2007, and who's complaining? Nobody is who. A few days ago a bunch of us stood in a parking lot across from a vast open field in Deschaillons-sur-St.-Laurent, near Shawinigan, waiting for Mario Dumont. A DJ piped music through speakers perched in the snow. Four of the spectators had arrived on snowmobiles. Everyone was cheerful. The weather was arctic.

Presently Dumont tumbled out of his bus, his son and two daughters in tow. They traipsed into the corrugated metal building next to the parking lot, which turned out to contain cows, and therefore a photo opportunity. Dumont is 36, taller than he looks on TV, and he has already led his makeshift Action Démocratique du Québec party through three elections before this one—plus the 1995 referendum, during which he basically flipped a coin and came up separanst. But he likes to say he listened to the voters that year. These days he is eager to talk about almost anything except Quebec's constitutional future.

There was a weird political-market bubble in Mario Dumont futures in 2002. Voters were sick of the Parti Québécois and not yet sure Jean Charest was fit to lead. Suddenly Dumont's ADQ party led in the polls. Then his support collapsed as randomly as it had expanded. The ADQ has never had more than five seats in Quebec's 125-seat National Assembly. If he can't do better this time, he must surely pack it in, and perhaps the party with him, washed up before he's 40.

Except it's getting a little weird again for Mario Dumont. Denis Lessard wrote in *La Presse* that Dumont floated into the 2003 campaign in a hot air balloon, with nowhere to go but down, but that he has surfaced off the coast of the 2007 campaign in a submarine. Nobody saw him coming. Nobody knows how much damage his salvos will do to those two old fortresses, the Liberal party under Jean Charest and the Parti Québécois under Andre Boisclair.

"*Au Québec, on passe à l'action*," the slogan on the side of Dumont's bus says. In Quebec, we get into the action. The young leader's photo, tall as the side of the bus, is grim and stubbly. Apparently with all the action there is no time to smile or shave. Dumont is gambling that bold, broad stroke policies will get him the attention and votes he needs. He wants to send every young parent whose child isn't already in daycare $100 a week, non-taxable, a child-care cheque more than four times what the Harper government delivers from Ottawa. He wants to double the province's energy efficiency effort and sell the electricity he saves to foreign customers for a tidy profit. He wants to abolish school boards. It is best not to ask for details. He doesn't have many. But he has more or less cornered the market on big ideas in this campaign.



JACQUES BOISSINOT/CP

Given Charest's lead and Dumont's strength, the PQ may be heading for a historic low

Jean Charest has clearly decided big ideas are nothing but trouble. When he lost the 1998 election and won in 2003, he kept talking about "reinventing" or "re-engineering" Quebec. For the last four years, just about every big idea he brought into government has bought him grief or turned to vinegar. So this time he is campaigning for smaller tax cuts, less new spending, teemer baby steps than ever. Dumont calls it Charest's "chloroform campaign." He means it as an insult but Charest doesn't seem to mind. If Dumont is action, Charest is momentum, or perhaps inertia.

And what is Boisclair? Quebecers don't seem curious to know. He was so young and urban and polished when he replaced Bernard Landry, who was none of those things. Now Boisclair's youth and polish and, above all, his urbanity—he has spent his life in Montreal, a city other Quebecers find baffling—may ruin him. He can't seem to connect. His platform is as radical a plan for secession as any PQ leader's, but it replaces the word "referendum" with a marshmallow phrase, "popular consultation." It's not quite right to say Quebecers aren't fooled. They aren't even interested. A Léger Marketing poll on Monday put the Liberals at 37 per cent, the PQ at 28, and the ADQ at 24. That's unusually high for Dumont's party and catastrophically low for Boisclair's. If the trend were to continue, the PQ would be on track to its lowest share of the popular vote since 1970 and a historic crisis of confidence.

This would be good news to Stephen Harper. The Prime Minister insists he is staying out of the Quebec election. He must have a hard time keeping a straight face. His finance minister, Jim Flaherty, will bring down a budget on March 19, only seven days before Quebecers vote. It will contain billions to "fix" the "fiscal imbalance," an imaginary problem of great concern to Quebecers, or at least to those Quebecers who write newspaper editorials. The entire campaign before March 19 amounts to a phony war. The last week will be the damnedest thing anyone ever did see. M

ON THE WEB: For more Paul Wells visit his blog at **www.macleans.ca/inklesswells**

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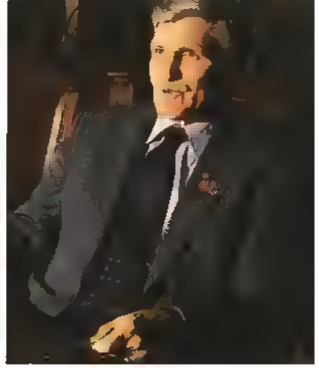
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'Once you put an AK-47 in their hands, child soldiers can mutilate, kill. I've seen a 14-year-old commanding 30 or 40 kids.'

RETIRED LIEUTENANT GENERAL ROMÉO DALLAIRE TALKS TO KATE FILLION ABOUT THE 'VALUE' OF GIRL SOLDIERS, AND LIFE POST-RWANDA

Q *You're writing a book about child soldiers. There are about 300,000 child soldiers around the world, right?*

A: At any given time There are many casualties, of course. It's estimated that two million have been killed in the last 10 years or so.

Q: *Which current military conflicts involve large numbers of children?*

A: The LRA [Lord's Resistance Army] in northern Uganda, which is also operating in southern Sudan and even a bit in the Congo. The Congo itself. Sierra Leone, which is now pulling itself out of its conflict. Burundi, also. Sri Lanka is using child soldiers extensively. In some countries, like Burma, it's part of government policy to use children below the age of 18 in government troops.

Q: *Is this a new phenomenon?*

A: Yes. Of course, we can go back to the Greeks, where they used to take young boys and train them for years and years, and when they achieved adulthood, whatever was perceived to be adulthood at that time, they went off to war. But in the late '80s and early 1990s, we saw, first of all, the introduction of girls as child soldiers, doing everything from front-end fighting troops and leading other children—girls can be just as ruthless if not more so than boys—to running the logistics base, the bivouacs, and being sex slaves and bush wives. The second phenomenon is the decreasing age of child soldiers. they're right down to eight or nine years old now, and the primary reason for it is that weapons are so light that a nine-year-old can carry them, maintain them and shoot them reasonably effectively.

Q: *Are kids good soldiers?*

A: Interestingly enough, once you put an AK-47 in their hands, they are as effective as adults. They can shoot, mutilate, kill, manoeuvre, overwhelm a position—on the actual battlefield, they are doing everything adults can do, and sometimes with even more verve than an adult might. They can be influenced so strongly, and their ability to retain values and ethics and rules is much more limited than adults' ability, so they're in one sense more flexible.

They can be good leaders, too. I've seen a 14-year-old who's been a child soldier for three years commanding a platoon of 30 or 40 other kids, and they show enormous deference to him. You can see the innate leadership skills of the individual, and he's experienced, but has been totally warped by the nature of the conflict and also by dependency, often on drugs.

Q: *In Sierra Leone in particular you hear about the kids being given stimulants to rev up for battle. So this is widespread?*

A: Sometimes it's booze, sometimes drugs, depending on availability and the nature of the conflict. Other times, it's just outright fear: the kids are more scared of the adults behind them than what they might be facing up front. There are cases, as in the LRA, where they use mystic voodoo, and say that children are impervious to bullets, and give them artifacts from the more pagan dimensions of the culture, and the kids become convinced that they're invincible.

Q: *Are they typically recruited or forced into military service?*

A: The vast majority are simply ripped right out of their villages and hauled into the bush. They'll kill a few to establish discipline immediately, and then they'll pair them up, if one escapes, the other is killed outright. They indoctrinate them, feed them information about who's killing their parents and things like that, and on occasion they'll bring them back to their original village to kill or mutilate someone, so they can never return. When we are able to demobilize them and rehabilitate them and reintegrate them, the boys are easier because these are male-dominated societies, and the boys can do their warrior thing. Although it's *in extremis*, the societies can handle that and their families can handle it. You teach them traditional skills, how to be a cobbler, carpenter, so they're coming back with something. But for every 10 boys you demobilize, you'll get maybe one or two girls.

Q: *Why so few?*

A: The reason is the girls are too important an asset not only can they shoot and kill and fight, they also run the logistics and they're the sex slaves, and often have maybe one or two children by the commanders.

Secondly, when we do get them out, they are nearly impossible to reintegrate, because in these cultures, the girls are viewed as "spoiled" if they've been raped or maybe given birth to a child, and that makes them unacceptable to the family and the society, so they are left aimlessly bouncing around in refugee camps or between villages. I think the worst thing is that the girls actually feel guilty about their plight.

Q: *Are there any strategic advantages to using children as soldiers? Such as, adults won't fire on them?*

A: The advantage that's to be gained is, as far as I've been able to discern, very practical and pragmatic. In some cases there aren't enough adults, because of AIDS and so on, and in other cases these rebel groups don't seem to be able to convince the adults, so they abduct children. And in some countries they use them because they're cheaper than adults as government forces. You know, there's a whole bunch of NGOs and academics researching the recruitment side of this, and a lot of people have been working on demobilization, reintegration and rehabilitation, which is absolutely essential. But what I discovered is, nobody's looking at the actual use of child soldiers. Why is this child soldier weapon system the most sophisticated, low technology weapon system on the battlefield today? What makes that weapon platform so effective? In my research, I am dissecting that in order to neutralize it, to render it ineffective.

Q. *Given the apathy of much of the developed world toward these conflicts in the first place, how do you get people to care about the fact that young kids are involved?*

A: If you look at our horror of using chemical weapons, or biological weapons or nuclear weapons—how come we're able to accept that children can actually be exceptionally effective instruments of human destruction? If I were a cynic, or a pessimist, I would simply say everything is based on the self-interest of the developed countries—the fear of casualties, and simply not wanting to commit any political capital to operations or situations that have risk and are not involved in our security—and I would say to hell with the whole damn thing and stay home. I believe, however, that because we've seen so much movement on human rights, because we have seen in fact the optional protocols [banning the use of soldiers under the age of 18] and the work done in the UN, because the international criminal court now exists and is starting to indict people who actually use child soldiers, because rape is now a crime against humanity, and the girls are raped and some boys are too, and ultimately because the use of child soldiers is now becoming more identified as a crime against humanity, I think we can break the logjam. I'm not saying we'll do it overnight.

But there are all kinds of alternatives my research has tried to bring forward. Like, if you know you're facing child soldiers, why not use non-lethal weapons instead of lethal ones? Or a different set of tactics in order to get at the adults leading them versus the children?

Q. *You've spoken openly about your struggle with post-traumatic stress disorder after heading the UN peacekeeping mission in Rwanda, and your subsequent suicide attempts. Are you concerned that immersing yourself in a cause like this, and in a fresh set of horrific images, will re-traumatize you?*

A: I've been eight years in therapy. I still take my medication. And I remain vulnerable when some circumstances present themselves. But it hurts less when you're busy like this. Getting something done that might be of use seems to override everything else.

Q: *Don't you feel, though, that you're once again tilting at windmills?*

A: Don Quixote is my hero, so I've got no problem with that!

Q: *In Canada, you're widely viewed as a hero because of your attempts to mobilize the UN both before and during the Rwandan genocide. But you don't see yourself as a hero.*

A: No. My mission failed. I don't consider that particularly mature on our part, to fling "hero" left, right and centre, the way we do.

Q. *Is your sense of guilt, both about what you could've done better and your survivor guilt, exacerbated by being called a hero?*

A: There were years when I would rebel against it, and it created enormous, enormous tension both within me, and with the people who would mention it. Now I don't even listen to it anymore. The only positive I pull out of this stuff is when I left Rwanda I promised I'd never let the genocide die.

Q. *The movie version of your book* Shake Hands with the Devil *is coming out this year. Do you ever long for a more private life?*

A: I had some very terrible times with living. One of the issues was that I would never be able to be who I was before, meaning returning to what was normalcy before Rwanda and the traumas, and not having Rwanda around my neck.

And realizing that this thing is going to be with me for the rest of my life, and that I will never be able to separate myself from it. That requires some hefty work with my therapist.

Q. *Aside from work, what do you enjoy doing?*

A: Watching the Super Bowl with my sons. I also enjoy watching golf on TV. I think that's got to be the most therapeutic, calming thing you can invent: the beauty of the colours, even the announcers speak softly.

Q. *Is joie de vivre possible, after what you've been through?*

A: You know when you have that warm, fuzzy feeling in your tummy, of serenity and joy, when your tummy is laughing? I haven't found that yet. Maybe someday.

Q: *What do you view as your greatest professional accomplishment?*

A: I don't. I don't have one.

Q: *Bearing witness to the Rwandan genocide isn't an accomplishment?*

A: No, that's a responsibility. A duty.

Q: *What do you view as your greatest personal accomplishment?*

A: Having failed to kill myself.

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CISCO

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Q: *Since we're on the topic, what do you hope it says on your gravestone?*

A: I don't know. We finally have started the creation of a national cemetery for our military, in Beechwood in Ottawa, and one of the incredibly significant criteria is that whether you're a three-star general or a private who's been in for a year, your headstone is exactly the same as everybody else's.

Q: *You want to be buried there rather than with your family?*

A: Yes.

Q: *Why? It seems that your family has been so crucial to your recovery.*

A: But it was life and death with the soldiers who were with me. M

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PHOTOGRAPHS BY BRIGITTE BOUVIER

So much for 'total victory'

The security certificate system won't be gutted after all—just refined

BY JOHN GEDDES • Considering his government's key tool for keeping suspected terrorists locked up was supposedly yanked away in a landmark court ruling, Prime Minister Stephen Harper is sounding pretty relaxed about the situation. "The Supreme Court said the security certificate program is necessary for public safety in the fight against terrorism," Harper said this week, in his first public comment on a ruling that made international headlines. He allowed that the decision went against "some provisions" in the controversial system that has led to a few non-citizens, some allegedly linked to al-Qaeda, being detained without trial for years. But he added, with an air of satisfaction, that the court had provided "a pretty clear road map" for fixing the rules to make them constitutional.

So much, it seems, for the breathless initial response suggesting the Supreme Court of Canada had gutted the security certificate system. Much of that reaction was generated by the celebratory news conferences held by lawyers who represented the detainees in the case. Johanne Doyon, lawyer for Adil Charkaoui, a Moroccan arrested under a security certificate in 2002, hailed the ruling as "a near total victory." And Charkaoui—who was released on bail in 2005 under the condition that he wear an electronic monitoring bracelet, among other strict conditions—offered up the day's juiciest quote, linking the unanimous judgment from Canada's top bench to the most notorious U.S. detention centre. "The Supreme Court, by 9 to 0, has said 'No' to Guantánamo North," he said.

It was a good line, but a bit of a stretch. In fact, Chief Justice Beverley McLachlin penned a careful ruling that upheld the validity of the security certificates, although she ordered Parliament to come up with a better review mechanism to protect the interests of those who have one issued against them. Security certificates have been part of the Immigration and Refugee Act since 1978. They are signed by the ministers of public safety and immigration to declare a non-citizen a national security threat. The person named in the certificate is then arrested for deportation. A federal judge can review the intelligence case against the suspect, but the detainees and their lawyers aren't allowed to know the secret details. Over the years, certificates have often been used to swiftly kick out suspected spies. The system only became controversial when alleged terrorists arrested after 9/11 couldn't be deported, under Canadian law, to home countries where they would likely face torture. That left them in legal limbo, not charged with criminal offences in Canada, but not shipped out, either. Lawyers for the three who brought the case to the Supreme Court—Charkaoui, Mohamed Harkat and Hassan Almrei—argued the system was fundamentally unjust. But McLachlin validated its core elements. "The realities that confront modern governments faced with the challenge of terrorism are stark," she wrote. "In the interest of security, it may be necessary to detain persons deemed to pose a threat. At the same time, security concerns may preclude disclosure of the evidence on which the detention is based."



'THE SUPREME COURT, BY 9-0, HAS SAID "NO" TO GUANTÁNAMO NORTH.' WELL, NOT QUITE.



JUSTICE FOR ALL: Charkaoui (above), Security Minister Stockwell Day—with U.S. Homeland Security chief Michael Chertoff—has a year to satisfy the court

FRED CHARTRAND/CP; RYAN REMIORZ/CP

But McLachlin said it isn't good enough to merely have a judge look at the case against a detainee. She instructed Parliament to find a better way, pointing to the British model, in which a special lawyer is assigned to review evidence, without revealing it to the suspect. University of Toronto law professor Kent Roach, an expert on Canada's anti-terrorism laws, said an even more promising home-grown procedure was devised by the judicial inquiry into the Maher Arar affair. The inquiry's lawyers were not only allowed to review the intelligence file on Arar, they were also permitted to ask him questions based on that information, carefully framing them to avoid disclosing secrets. "That's an improvement on the British system," Roach said. "The lawyer who has seen the secret evidence also gets to ask the directly affected person questions. Obviously, this is a delicate task." Doyon said she agrees the government should look closely at the Arar inquiry's solution to the problem of reviewing secret evidence. She is skeptical about the more limited British special advocates model.

Whatever the Harper government finally settles on to satisfy the court, though, the security certificate system isn't about to disappear. "First, the court gave Parliament a year to fix it," said Toronto constitutional lawyer Neil Finkelstein, who represented the Federation of Law Societies of Canada in the case. "Second, they suggested an easy solution to do that." And if that's all losing this big case amounts to, the winners might soon be wondering what it was they were celebrating about. M

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HONDA





FOR THE presidancy of a small Prairie university, ha gave up a homa just off tha baach

The native returns

Lloyd Axworthy has big plans for his hometown of Winnipeg

BY NANCY MACDONALD • On a bright May morning two years ago, former foreign affairs minister Lloyd Axworthy left his home on Mill Bay, on the southeast shore of Vancouver Island, climbed into his car, and caught the ferry to the mainland. He threw on an Eric Clapton CD, cranked up the volume and pointed his car east, toward his hometown of Winnipeg. "I drove through the plains, the mountains, the foothills, and onto the Prairies," he recalls. "I remember stopping at the little rest area just outside Regina. It was one of those great, prairie days. All of a sudden a big grain train started coming by and I thought"—he pauses—"I'm going home."

Axworthy describes the scene on a bitterly cold February afternoon, from his new professional quarters: the office of the president of the University of Winnipeg, on Ellice Avenue, in the city's west end. His carpeted office is on the second floor of a two-storey stucco building painted robin's egg blue, a poor mask for the graffiti beneath it.

Skeptics would say he traded down. For the presidency of a small Prairie university, Axworthy gave up an island home just off the beach, two acres of apple, apricot and kiwi trees, and a plum gig as director of a global policy think tank, the Liu Institute for Global Issues at the University of British Columbia, Canada's third-largest university. Winnipegers, instinctive self-deprecators, were bemused. "In Winnipeg, there is the sense that once you get out, you've got it made," explains Gord Vidal, a local business consultant and an Axworthy confidant. "Lloyd was performing on the world stage, so there was surprise that he would take what some saw as a backward step."

Others were surprised by the university's choice of Axworthy. At the time, the institution was mired in debt. In May 2004, when Axworthy first arrived, the university's sandstone facade, in need of serious repairs, was literally crumbling. Structural decay was emblematic of the bigger problem. In an attempt to reduce arrears, the University of Winnipeg had emptied its reserve fund, slashed departmental spending, and sold off assets. Axworthy seemed an awkward fit. "Pink Lloyd," as he'd once been dubbed, had acquired a reputation as a big spender in Jean Chrétien's cabinet. And ominously for the new president, his predecessor, Constance Rooke, had left Winnipeg after an ugly dispute with the board of regents over finances.

Two years on, the budget has been balanced. And Axworthy, who has the support of Winnipeg's financial royalty—including financier Sandy Riley, who is also the university's chancellor, and CanWest honcho Leonard Asper—is overseeing an ambitious series of expansions. Among them is a state-of-the-art, $30 million science complex and, for the performing arts program, a new $6-million stage and centre. New student residences are planned, and Axworthy hopes to create men's and women's varsity hockey teams, to play out of the city's new downtown arena, the MTS Centre. These renovations could stretch the campus over six city blocks, up from the current two, taking the place of a condemned roller-skating rink, the downtown bus depot and several rows of boarded-up houses. The civic-minded president is improving his university while also sprucing up his hometown.

Strategically speaking, the latter was crucial in order to accomplish the former. With the lowest space-to-student ratio in the country, the University of Winnipeg is choked for room—while the surrounding neighbourhood has seen better days. Shortly after he arrived in Winnipeg, Axworthy threw out the university's old development plan, which called for modest renovations. He envisioned something far more dramatic—for which the university did not have the capital. So Axworthy went trolling for funds outside the confines of the campus, tapping local connections he had developed over his 27-year political career.

In meetings with local developers, downtown business owners, and representatives from the chamber of commerce, he dangled the economic clout of a 10,000 strong student body. "Look, the business community is pretty savvy," says Andy Ritchie, publisher of the *Winnipeg Free Press*. They have awakened to the fact that there is a university in the heart of the city, a potential anchor for core renewal at the western edge of downtown Winnipeg. Riley, the man responsible for luring Axworthy to the Peg, echoes that sentiment. "Look at what the University of Toronto provides for downtown Toronto."

BY RENEWING THE UNIVERSITY, HE'S HOPING TO TURN AROUND THE DECREPIT DOWNTOWN CORE

"You want a vibrant downtown with people walking on the streets, people feeling safe," says Gail Asper, president of the CanWest Global Foundation. "It doesn't create a sense of well-being when half the stores are boarded up." Her teenage son attends the University of Winnipeg Collegiate, a private high school attached to the university. Her brother Leonard, president and CEO of CanWest Global Communications Corp., has contributed $3 million, on behalf of his company, for a new home for the theatre and film department.

"We're building a new campus, in effect," Axworthy says, pointing to the architect's conception of the proposed science centre. And Axworthy's vision seems to be gaining momentum. City hall has agreed to close off Spence Street, between Portage and Ellice, for a pedestrian mall, and within the struggling, surrounding communities of Spence and West Broadway, there is a sense that things might turn around.

No one anticipated the funds Axworthy would bring in, according to Vidal. "The money wasn't just there for the taking," he says. "It had to be intrigued out of people." Last fall, Axworthy accepted the largest private donation in university history, the university's biggest corporate donation, and the university's single largest donation from the public sector, up to $25 million in provincial funding. Last week, former Winnipegger Chantal Kreviazuk, currently touring her new album, *Ghost Stories*, played a benefit concert in support of another Axworthy project, the Opportunity Fund for students in need.

But it's not all fun and cashing cheques. "Being a university president is like being a caretaker in a cemetery," Axworthy quips. "You have lots of people under you but nobody listens." Some faculty, set to enter contract negotiations, admit to being demoralized. They've read about Axworthy's grand plans, but meanwhile there is a perceived erosion in the budget for salaries, and as yet unresolved dispute over their pension plan. Still, the board of regents and certain faculty members, especially the younger faculty, he says, are onside. And anyway, he isn't building a career at Winnipeg. He calls it a vocation. "This is the first university I ever worked for, and it will be the last," he says.

Axworthy has come full circle in more ways than one. He was hired by the university, for the first time, as an associate professor of political science in 1965, after acquiring his Ph.D. from Princeton. And if he is successful with his plans, he will once again be Winnipeg's white knight, championing something he started in his late twenties as director of the University of Winnipeg Institute for Urban Studies: the renewal of the downtown core.

"It was a return-of-the-native kind of feeling," Axworthy says, describing his drive on the open prairie two years ago. But with such journeys, the road is often long. Axworthy points from the lone window in his office to a row of crack houses overlooking a snowy back lane. "That's our competition." M

FOR THE RECORD

MARIO DUMONT'S ADQ KNOWS WHAT IT WANTS

"The bast thing about this campaign is that it means we can turn the page definitively on the last one, and I'm happy to do that. Last time our candidatas ware sitting around talking about which cabinat jobs thay ware intarastad in, this tima thay just want to win thair ridings." —Action Démocratique du Québec laadar Mario Dumont on his party's mora raalistic outlook in the current provincial alactions, given its 2003 alectoral drubbing

PHOTOGRAPH BY MARIANNE HELM CP

Sending PMs off to their reward

PHILIPPE GOHIER • Paul Martin, Kim Campbell, Brian Mulroney and Joe Clark gathered in Toronto last week to welcome the young aspirants for the upcoming CBC special *The Next Great Prime Minister*. Alas, their message was less than upbeat: life after politics, they told the *Globe and Mail*, can be a bummer.

Canada's retired politicians get "put off in a corner and forgotten," Mulroney grumbled. Campbell lamented former leaders are "not honoured in this country." And Clark likened their status as ordinary citizens to "being penalized for your service."

In truth, our former leaders are not exactly neglected. John Turner was PM for 79 days in 1984, before leading the Liberals to their worst-ever electoral showing. Joe Clark held the post for 273 days before he too was thumped. Combined, that's 352 days—or four years short of a full five-year term. But estimates by the Canadian Taxpayers Federation show Turner and Clark earn annual pensions of $108,000 and $118,000 respectively. Of the five pension earning former PMs, Mulroney earns the least, taking in $100,000 a year. Jean Chrétien receives $164,000, while Martin will earn about $166,000 once he retires.

Though she served 132 days as Canada's first female PM, Campbell is not entitled to a pension, her tenure in Parliament was just short of the six year minimum. Still, Campbell was rewarded in 1996 with an appointment as consul general in Los Angeles, a post she held until 2000 with an annual salary between $117,000 and $142,400.

As to being shuffled out of the limelight, John Williamson, head of the Taxpayers Federation, says that's up to them. "If former prime ministers want to be recognized," he says, "they ought to say something interesting." M



CAMPBELL: No pension, but a nice job

More money to fix Regina's troubled spots

BY JONATHON GATEHOUSE • The government of Saskatchewan is pouring tens of millions into new housing and social development projects for Regina's troubled inner city.

Last week's surprise announcement by Premier Lorne Calvert will see the city's North Central and Core neighbourhoods reap the benefits of a one-time, $100-million cash injection to help address poverty in some of the province's most disadvantaged communities. The NDP has earmarked $15 million for a trades and skills college in downtown Regina, and a community services centre in North Central. The two neighbourhoods will also share in $60 million in new funding for affordable housing and rent subsidies. The province wants to build 500 new low-cost housing units across Saskatchewan.



CALVERT'S $100-million povarty plan

The program is just the latest in a series of government spending initiatives unveiled since early January, when *Maclean's* identified North Central as "Canada's Worst Neighbourhood," touching off a national debate. Plagued by high crime, substandard housing, unemployment and addiction, Regina's inner city has long ranked among the country's poorest urban areas. At his press conference, the premier denied any link between the article and the timing of his announcement. "It didn't play a role in causing this work to be done, but clearly it identifies some of the needs that we're all very, very well aware of," said Calvert.

In a campaign style swing through Saskatchewan last week, federal Liberal Leader Stephane Dion also paid a visit to North Central to highlight his party's commitment to social justice. "I want to show that we are here to help the most vulnerable of our society," said Dion, referencing the *Maclean's* article. The leader of the Opposition used the backdrop to highlight differences with the Harper government, saying the Liberals believe in balanced budgets and a helping hand. If you have a strong market economy, Dion said, "you share the wealth to ensure that the people that are the most in need are helped." M

Palm trees and the Winter Games

The Russian resort town of Sochi has launched a serious Olympic bid

BY MALCOLM GRAY • Palm trees aren't usually part of the backdrop when Winter Olympics medals are handed out. But they will be if the Black Sea city of Sochi succeeds with a Russian national bid to hold the 2014 Games in a subtropical setting. Call it the global warming bid, but a city of 400,000 billed as the capital of the Russian summer is now focused on ice and snow as it battles with two other 2014 finalists—Salzburg, Austria, and Pyeongchang, South Korea.

Late February was Sochi's turn to strut its stuff as an International Olympic Committee delegation came to town. Never mind the palms—the 13 members immediately noticed the snow capped peaks of the Caucasus Mountains rising behind the city. "This is unique," said delegation leader Chiharu Igaya. "To have the Black Sea right here and those beautiful mountains so close to the sea." The Russians were quick to follow up that visual effect with another strong card: the presence of President Vladimir Putin. He is a familiar sight in Sochi, he has a villa in the area and likes to entertain foreign visitors there. More importantly, Krasnaya Polyana, or Red Meadow, his favourite ski resort, would be the site for downhill events should Sochi win. Putin accompanied the delegation on the 50-minute drive high into the mountains. There, he put on a set of skis and showed off his form in an area that the Russians argue has the best skiing in Europe. "The cities in Austria and South Korea are worthy—but we are the best," was his less-than objective take.

Hammering home that message was a star-studded lineup of athletes—among them Vladislav Tretiak, the goaltender for the Soviet hockey team in the 1972 Summit Series with Canada. He stuck to the party line. Russia has been a good Olympic citizen and is long overdue to hold the Winter Games. That might have had some effect. Igaya noted that Russia (and the U.S.S.R.) had won 33 gold medals in the last four Winter Games alone. To make the Sochi games a reality, Putin has guaranteed that Russia will spend almost US$12 billion, with 60 per cent of the money coming from Moscow and the rest from private investors. In a related project, Oleg Deripaska, an aluminum mogul who recently bought the airport that serves Sochi, has promised to spend up to US$8 billion on such improvements as a new terminal and lengthened runways that could handle jumbo jets.

One of the chief selling points of the Russian pitch is that athletes and spectators arriving at the airport will be less than 10 minutes' travel time from the Olympic village and new state-of-the art sites for competition and practice sessions in such sports as hockey, curling, speed and figure skating. Similarly, they will spend less than 50 minutes zipping along on new highways and a light-rail link from the coast to downhill events and a second Olympic village high in the mountains.

'THIS IS UNIQUE—TO HAVE THE BLACK SEA THERE AND THOSE BEAUTIFUL MOUNTAINS SO CLOSE'

Those sites could be described as Putin's "fields of dreams." At the moment, the coastal site is nothing more than a soggy meadow filled with potential. Krasnaya Polyana—and its transportation links to the coast—also need extensive development. There are other problems that aren't mentioned in the Russian bid. A spectator or athlete taking a wrong turn from the airport would quickly end up in Abkhazia, an unrecognized statelet that broke away from Georgia in the early 1990s and is currently propped up by Moscow. Still, Igaya appeared to buy Russian security assurances. "Terrorism can happen anywhere," he said. "I'm sure that the Russians can ensure very peaceful games should they get them." That said, he diplomatically touched on the weak point in the Russian proposal—an almost complete lack of infrastructure. "Time is a factor," he added. "Coordinating all those works could be a challenge."

The Russians insist they are up to it. A winning bid would transform Sochi into a year round resort by spurring the construction of thousands of new hotel rooms. It would also eclipse the sourness of 1980, when a Western boycott protesting the Soviet invasion of Afghanistan crippled the Summer Games in Moscow. Putin is taking no chances this time. He's going to Guatemala City just before the IOC reveals the winning bid there on July 4, clearly hoping that some discreet arm-twisting might make his pipe dream a reality. M



PUTIN is strongly backing the bid, but the Sochi area has a serious lack of infrastructure

MIKHAIL METZEL/AP

THE ISSUE IN...

SWITZERLAND: NOT JUST HOLES IN THE CHEESE

The Alps aren't the only things that are high these days, and the Swiss government is putting its foot down. It's warned farmers to stop feeding their cows cannabis or face prosecution. Farmers say the easy-to-grow weed makes the animals happy and they produce more milk. Agricultural officials warn that the active ingredient in cannabis, THC, can get into milk and even contaminate Swiss cheese. Making it more popular than ever.

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Fears of an 'epidemic' of abortions

BY COLIN CAMPBELL • Late last month, the Greek Cypriot government proposed a plan to reverse its plummeting birth rate—offer cash for babies. The leading government of the tiny Mediterranean island said it was considering paying women who already have two children or more nearly $55,000 to have another child. Such population-boosting incentives have been tried before with some success, especially in Europe where declining birth rates have prompted widespread fears of future labour shortages and further influxes of foreign workers. But the Cypriot plan has caused a stir on the island, where at least one member of parliament says women who are already pregnant are now considering having an abortion and getting pregnant again to qualify for the generous baby bonus when it becomes law.



$55,000 for Cypriots to have another child?

Cash-for-baby incentives in other countries have typically come with a host of restrictions. A baby bonus being introduced in Russia this year, for instance, comes into effect only when the child turns three. An Italian program several years ago gave money for babies born before a certain date, not after. Given the controversy in Cyprus, it's likely any plan there will include similar nuances, or be retroactive to avoid what one lawmaker warns could be an "epidemic" of abortions.

Nevertheless, the Greek Cypriot government has good reason to want to boost birth rates by any means and as quickly as possible. For over 30 years, Cyprus has been divided politically between the Turkish population in the north and the larger Greek one in the south. While the Greek population has been stagnant, the Turkish population has swelled—fuelled in part by immigrants from mainland Turkey—raising the real possibility that Muslim Turkish Cypriots will one day outnumber Christian Greek Cypriots and tip the balance of power in their favour. M

Getting ready for the Taliban spring

BY JONATHON GATEHOUSE • The snow is still thick on the ground in Afghanistan, but spring appears to have already arrived. For months now, intelligence sources have been warning that the change of season will bring a major offensive from the Taliban. And travelling to the region this week to get allies to pay heed to the growing danger, Dick Cheney got the message first-hand.

The Taliban launched an audacious suicide strike at the gates of Bagram air base near Kabul, during a secret visit by the U.S. vice president. Cheney was unhurt, but nearly two dozen died, including two NATO soldiers. Coming almost exactly six years after "victory" was declared in Afghanistan, the bombing highlighted some harsh realities—the West hasn't the foggiest idea where to find Osama bin Laden and Mullah Omar, but our enemies are still capable enough to detect the presence of a high-security dignitary and mount a lightning attack.

And despite some public bravado ("2006 was a year of Taliban failure," said British Gen. David Richards), signs are that the war is intensifying, not dying down. U.S. military statistics say the number of roadside bombs across the country almost doubled last year, and that suicide attacks increased fivefold. Reconstruction efforts are faltering, according to reports by NGOs and aid groups. NATO troop levels in the country are now at their highest since the 2001 invasion.



THE ATTACK on Dick Cheney was just the start

The Blair government's pullout of British troops from Iraq has overshadowed a 1,400-strong buttressing of U.K. forces in Afghanistan. Tanks, artillery and aircraft are also being redeployed, as some 3,000 additional British, U.S. and Canadian troops prepare for their own spring offensives across the south and east. The clearest sign of worry is the increasing pressure on Pakistan. Stephen Harper, the British foreign secretary, and now Cheney have taken President Pervez Musharraf to task for his failure to root out Taliban and al-Qaeda bases. The ice is getting thinner by the day. M

Help for abandoned brides

BY NANCY MACDONALD • In July, *Maclean's* reported the story of Navdeep Dhillon, a 29-year-old computer technician from Abbotsford, B.C., whose Indian-born husband duped her into marriage in order to gain entry into Canada. Having pocketed the family's $20,000 dowry, Dhillon's husband then disappeared from Abbotsford. And



GET MARRIED, get dowry—and leave?

Dhillon's story of a sham marriage is not unique among the Indian diaspora. Under another ruse, Canadian men of Indian origin will travel to India to choose a bride, only to abandon their new wives, either in India or upon their return to Canada. At stake, for the men, is the lavish dowry of jewellery and money that brides' families traditionally pay to the bridegroom.

For the women, who are duped and then dumped, finding help in a foreign country can be difficult. Many arrive here with little money and few language skills. Given their increasing number (there are an estimated 20,000 so-called abandoned brides in India as well as in Western nations such as Canada, the U.S. and Britain), India recently launched an aid program to assist them. Duped brides who are deserted within two years of marriage are now eligible for $1,000, to seek legal help or counselling in the countries where they have been abandoned.

The Indian government's aid package didn't get much applause from the local NGO community, according to Goldy Bhatia, veteran settlement counsellor with B.C.'s Progressive Intercultural Community Services Society. She thinks the money could be better spent. "That $1,000 is not going to make any difference to abandoned brides here," she says. "The Canadian government already has social services and counselling programs in place. That money should be used to fix the problem in India, to create pre-departure counselling services and screening programs and to alert women to the dangers—before they arrive." M

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CONRAD BLACK
THE TRIAL OF THE CENTURY



JOSHUA LOTT/REUTERS

THE UNITED STATES VS. CONRAD BLACK

IS CONRAD BLACK A SOPHISTICATED FRAUD ARTIST? OR AN INNOCENT MAN PERSECUTED BY LEGAL ZEALOTS AND BETRAYED BY DISLOYAL FRIENDS? • BY COLIN CAMPBELL





In the wake of a Hollinger International shareholders meeting in New York in 2002, Conrad Black found himself on the defensive. Concerns had erupted at the meeting over millions of dollars in payments he and other company officers had received from the sale of Hollinger newspapers. Afterwards, Black allegedly emailed the company's investor relations officer, Paul Healey, asking him to do his part "stamping out" the notion that their actions had hurt the value of the company's stock. "Two years from now, no one will remember any of this," he wrote. The statement, outlined in evidence prosecutors plan to present when Black goes to trial on March 14 over accusations he looted Hollinger International, surely falls into that unfortunate category of famous last words.

What might have once blown over as an internal debate at Hollinger International about compensation and bonus payments, has instead blown up into one of the most captivating corporate scandals in decades. Black faces 14 charges—including mail and wire fraud, racketeering, money laundering and obstruction of justice—in a trial set to play out in a Chicago courtroom over the next few months. Unlike other major white-collar criminal cases, such as Enron and WorldCom, this one is not about a company going bankrupt or investors being swindled out of their life savings. Rather, it is about a larger than-life British lord and press baron who—depending on who is to be believed—was either a fraudster corrupted by his own greed and sense of entitlement, or a businessman betrayed by his closest allies and persecuted by overzealous authorities.



The trial is the latest, and most crucial chapter in the Black saga. With his empire dismantled, many of his assets sold off, and his reputation in tatters, the trial is Black's one shot to face his accusers in a court of law, and to write a surprise ending to what has been a spectacular fall-from-grace story. His belief in his own innocence is unshakable and he has repeatedly stated that he will win. Of the prosecution Black says: "They have a slight problem in that the defendants are all innocent. I don't know where they're going to get their evidence. It's a mystery to me but it's not my problem."

The stakes could not be higher. If he loses, the 62 year-old will almost certainly face the rest of his life in jail (his sentence could reach 95 years) and millions of dollars in fines and forfeitures (as much as $92 million for the racketeering charge).

THE CHARGES

The charges Black faces revolve around the central allegation that he, along with former Hollinger executive Jack Boultbee and former Hollinger attorneys Peter Atkinson and Mark Kipnis, orchestrated and carried out a series of fraudulent schemes designed to loot Hollinger International for their personal gain. This was chiefly done, prosecutors say, through payments the defendants received from the buyers of the company's newspapers in return for promises not to start rival papers in those same markets. These so called non compete agreements are common, but unusual in this case because the payments went to Black, the other defendants, and other companies controlled by Black, rather than to Hollinger and its shareholders. In some cases, the agreements were not even asked for by the buyers, say prosecutors. In one instance, a non-compete was allegedly paid to a company partly owned by Black and his partner, David Radler. That resulted in "an agreement with themselves, not to compete against themselves resulting in them paying themselves approximately $1.2 million." The government alleges that Black and the others diverted US$51.8 million from Hollinger International's sale of newspapers to CanWest Global Communications in 2000 as well as more than US$32 million in other transactions.

A second scheme, prosecutors allege, involved the misuse of corporate perks and "breaches of fiduciary duty," such as Black's use of company money to throw his wife, Barbara Amiel, a "lavish" birthday party at the New York restaurant La Grenouille, and his taking the company jet on a vacation to the remote islands of Bora Bora. The frauds, said FBI agent Robert Grant in 2005, "were blatant and pervasive. They extended from the backrooms to the boardroom, and from Park Avenue to the South Pacific."

The most important counts Black faces, and the ones the government will pursue hardest, are nine mail-and-wire fraud charges. Prosecutors will need to prove to 12 Chicago jurors, beyond any reasonable doubt, that Black and others devised fraud schemes and used the mail or electronic communications to carry them out. Mail fraud and wire fraud charges are broad and come with a heavy sentence (up to 45 years in prison in Black's case). "If the government can prove there was a fraud and if the mail was used, boom, they got him," says Douglas McNabb, senior principal with the Washington based firm McNabb Associates. Under the fraud charges, the government must also show that Black deprived the corporation of the "intangible right of honest services." Such accusations have become common in recent years, and they rely heavily on subjective judgments by jurors. As such, they've proved troublesome for the government in appeals courts, where they are prone to be overturned, says McNabb.

'IF CONVICTED, HIS SENTENCE WILL BE LIKE THAT OF A CRACK DEALER'



BLACK with Radler (far left), Amiel in 2001 (left), founding the *Post* (top); with Amiel

The most aggressive charges levelled against Black involve racketeering. The Racketeer Influenced and Corrupt Organizations Act, commonly known as RICO, was created in 1970 as a tool to fight organized crime. It's often associated with bribery and extortion cases, but it can also simply relate to "a pattern of illegal activity." RICO charges are much harder to prove than mail and wire fraud—prosecutors must not only show there was a fraud scheme, but a large-scale operation to loot the company. Black's lawyers have accused the government of "overreaching" with the charges, arguing that it is ridiculous to equate the defendants' conduct with that of mobsters. "They're difficult to win," says Peter Henning, a law professor at Wayne State University and a former U.S. Securities and Exchange Commission lawyer. "But if you win they can bring with them very substantial penalties, not only the criminal punishment but forfeiture of assets." In Black's case it could mean $92 million and another 20 years in prison.

To win a conviction on these fraud charges "the main element the prosecutor will have to prove is that the defendant had the spe

cific intent to defraud," says Sam Buell, a law professor at Washington University and a former prosecutor who led past cases against top Enron executives. Prosecutors will have to show not simply that Black thought of breaking the law, but that there was the intent to deceive in a way that causes harm.

On top of all this, Black faces obstruction of justice charges for hauling away more than a dozen boxes of material from his 10 Toronto St. offices in 2005, violating a court order. (Black and his chauffeur were recorded by security cameras loading the boxes into a car.) The charge carries a maximum penalty of 20 years. Black is also accused of wiring





BLACK COURTED POLITICAL INFLUENCE AND CONSPICUOUS WEALTH





BREEDEN (above) became Hollinger's lead inquisitor, digging into Black's use of company money and dealings with the board

"criminally derived" money (from one of the non-compete agreements) from a Canadian bank to a U.S. bank—a money laundering charge that carries a maximum 10 year sentence. And he is charged with two counts of filing a false corporate tax return, which carries a maximum three-year sentence.

Black faces an uphill climb, say lawyers who have studied the indictment. Recent high-profile white collar crime cases in the U.S. have almost uniformly ended badly for the defendants. If convicted, Black will serve every last year he's sentenced to under U.S. federal sentencing guidelines, which eliminate the possibility of parole. "It's fair to say that if Mr. Black is convicted, his sentence is going to be analogous to that of a crack dealer," says McNabb. "White-collar crime in the U.S. is no longer treated lightly."

That is not to say, however, that Black doesn't have a decent chance of winning. Corporate perks and non-compete agreements are not illegal, nor is it a crime to make a lot of money. In the end, his fate rests entirely in the hands of 12 Chicago jurors, meaning the outcome is virtually impossible to predict. If the defence can convince just one of them that Black is not guilty beyond a reasonable doubt, they may at the very least win a mistrial and a chance to fight another day.

THE GOVERNMENT'S CASE

Many of Black's legal woes can be traced back to one man, Richard Breeden, the former SEC chairman, who led an internal Hollinger International investigation in 2004 that ended in a damning 500-page report outlining how the company was "victimized by its controlling shareholders"—including Black and his business partner of over 35 years, David Radler. The report itself is not admissible, but prosecutors will likely reintroduce much of the detail contained in it. Under federal evidence rules, prosecutors will be able to use interviews the defendants gave during the Breeden investigation—including details that may have been given more openly than they would under present circumstances. At one point, in describing payments Atkinson received, the Breeden report says, "In recent interviews with the Special Committee, however, Atkinson has conceded that the payment and associated non-competition agreements were improper." In the hands of prosecutors, such admissions are like dynamite.

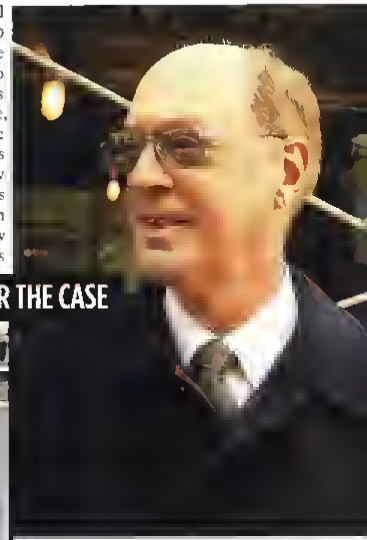
Many of the things first outlined in the Breeden report have already emerged in court documents filed by prosecutors leading up to the trial, providing a basic outline of their case and strategy. Prosecutor's will attempt to show that Black and other officers deceived the Hollinger board and audit committee in pressing for non-compete payments, and in transferring money between various companies controlled by Black. There is no shortage of documentary evidence here—the government has millions of pages of it and will use memos, emails and other communications between the defendants to demonstrate how vital information was hidden from the company's audit committee. Prosecutors, for instance, will present testimony from Healey, the investor relations officer, that Black lied about the non-competes during the 2002 shareholders meeting. Some of the evidence will also be used to try to show that Black took a cavalier attitude to shareholder concerns. In a 2002 memo, Black allegedly wrote to Radler, Boultbee and Atkinson, "We have a certain style that all these shareholders were aware of when they came in. We should fine tune that style, not revolutionize it with a damascene conversion to vows of poverty."

One of the most well documented transactions was Hollinger International's sale of Canadian newspapers to CanWest in 2000. Government lawyers will point to evidence allegedly showing that Boultbee and Atkinson's names didn't appear in the original non-compete agreement presented to the audit committee, but were inserted after the fact and that the payments, worth over US$50 million, were never properly disclosed. Questions only emerged after a New York law firm, doing due diligence on another matter, raised questions about the lack of disclosure.

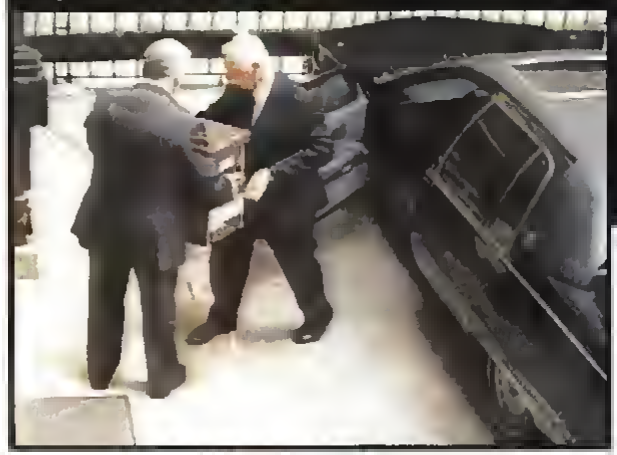
In building their case, prosecutors will try to avoid getting bogged down in the minutiae, say lawyers familiar with the case. "It's a complicated case, so one of the key challenges will be making it understandable to a jury," says Robert Kent, who was the lead attorney on the Black case until he left his position last September for private practice. "There can be a massive logistical challenge in a case such as this, with so many documents and so many witnesses." It's widely felt that the first trial of former Tyco International executive Dennis Kozlowski, who was also accused of looting his company, ended in a mistrial because prosecutors put the jury to sleep outlining a complicated litany of spending. Lessons from the Kozlowski trial will not be lost on government lawyers in Black's case.

Prosecutors will try to show the big picture. They will "focus on the large dollar figures" as well as "Black's use of the money," says Henning, the law professor and former SEC lawyer. That strategy has already been evident in pre-trial manoeuvring and the government's effort to make admissible details of purchases made in part for Black's wife, Barbara Amiel, that were charged to the company. Some of the purchases, highlighted in the Breeden report, include handbags worth US$2,463, opera tickets for Black and Amiel worth US$2,785, jogging attire for Amiel worth US$140, as well as nearly US$25,000 in "summer drinks." Last month, a judge ruled such purchases would be allowed into evidence—an early setback for Black. Prosecutors will also allege that Black, for instance, held a surprise birthday party for his wife costing US$62,870 (two thirds of which was billed to Hollinger) just two weeks after receiving US$12 million in non-compete payments from the CanWest deal. They'll also focus on Black's purchase of an apartment in New York from Hollinger for US$3 million. Jurors may get lost in the description of the non-competes, but they'll understand the end result—Black made and spent a fortune.

The biggest weapon in the government's arsenal, however, is Radler, who pleaded guilty to a fraud charge and will testify against Black in exchange for a 29-month sentence, likely to be served in the more comfortable confines of Canada's penal system. Radler was a key player arranging the non-competes, and in deceiving the board, prosecutors will argue. "The challenge is to present him hopefully, for what he is, and that is a convicted felon who knows a whole lot about what happened but has accepted responsibility for his misdeeds and is telling the truth," says Kent. Members of the board and audit committee are also expected to testify that they were misled, and prosecutors say lawyers with Torys LLP and auditors with KPMG (firms that oversaw the CanWest deal) will also testify. Radler and others will make accusations of fraud and deceit, which the government must back up with documentary evidence.



PROSECUTORS WILL USE BLACK'S OWN EMAILS TO BOLSTER THE CASE



BLACK removing boxes from Hollinger offices in 2005; co-defendant Boultbee (right)

"The key for the prosecution is corroboration," says Buell, the former Enron prosecutor.

As is always the case with complicated allegations, the government is relying heavily on the memory of its witnesses, and sporadic bouts of memory loss are a constant challenge. Some of the events in question happened over seven years ago, and witnesses may have forgotten some of the finer details on which prosecutors will build their case. Lawyers will use documents to prompt witnesses through any lapses, but memory could still be an area the defence can exploit. "Rest assured, the government's witnesses' memories will be sharp," says Jacob Frenkel, an attorney and former SEC senior counsel. But "the test is always cross-examination."

If all the efforts to prove fraud fail to convince a jury, prosecutors still have the relatively minor, but easier to prove tax charges to fall back on. "Al Capone didn't go to jail for any mob related crime," notes Ross Albert, a partner at Morris, Manning & Martin in Atlanta, and a former prosecutor and SEC lawyer. "He went to jail for tax evasion."

THE DEFENCE

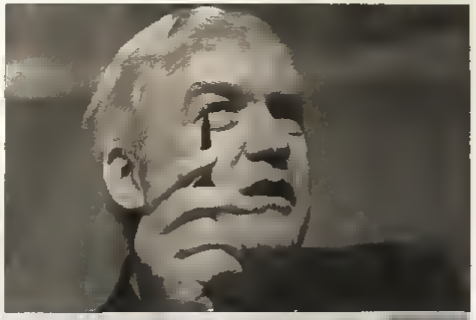
While many corporate fraud cases in recent years have devolved into mind-numbing excavations of legal minutiae, Black's lawyer Edward Greenspan says he plans to keep it simple. "This is a jury of 12 people who are not heads of corporations, they're not involved in corporate process, they're not involved in Sarbanes-Oxley, and they're definitely not

SETH WENIG/REUTERS · BRIAN SMITH/DAILY TELEGRAPH · RICK MADONIK/TORONTO STAR · TORONTO STAR/CP · SCOTT OLSON/GETTY IMAGES

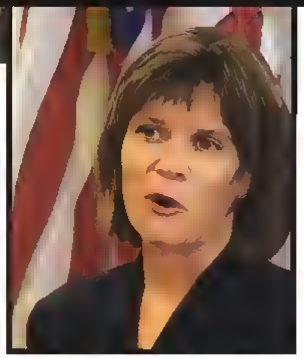


Hollinger aims for transparency

Black promises to address issues surrounding executive pay



BLACK'S SIDE WILL AIM TO KEEP IT SIMPLE: 'WAS IT FRAUD OR NOT?'



JUDGE AMY ST. EVE has already ruled that details of the Blacks' personal spending will be allowed into evidence

involved in the intricacies of special committees and restructuring agreements. No matter how complicated the case is, the case has got to be reduced to its simplest form, and it has to be fought on that basis: is it fraud or is it not fraud?"

Of course, beneath that seemingly elementary question lies a tangle of complex transactions and relationships. Much of what the government will portray as bald lies and theft may not be nearly so clear-cut once Black's defenders have a chance to address the jury. As prosecutors try to narrow their focus on the money trail, defence lawyers will dwell on the often blurry line between legitimate corporate expenses and personal ones. Therein lies the path to acquittal. "If the jury doesn't understand the case, they will refuse to convict. They will rely on the concept of reasonable doubt," says Albert.

For example, the defence has made it clear they will argue everything about the non-compete agreements, so far as the defendants knew, was proper, says Henning. In the CanWest deal, for instance, the head of CanWest himself, Izzy Asper, asked that Black and the other defendants be named in the non-compete contract. Before his death, he even wrote to Black confirming this.

More to the point, the defence will focus on the role the board played, as well as lawyers and accountants who ultimately approved the deals and payments. The Hollinger audit committee was an illustrious group, including members like former Illinois governor James Thompson and economist Marie-Josée Kravis—not types easily duped or confused by even the most complex business transactions. The defence will say, "everything we got was reviewed and approved by the board of directors and that's how it's supposed to work in a corporation," says Buell. Playing up the committee's financial acumen is key, says Daniel Horowitz, a criminal defence lawyer based in Oakland, Calif. "One of the great arguments you can make is to talk about how sophisticated these people are and how high their IQs are. You say, 'They knew far more about this than you ever will in two months. They didn't see anything wrong.'"

The defence will seek to show that everything of substance was disclosed, and if lesser details were not, it was an administrative oversight for which a CEO can't be held criminally responsible. Questions about what exactly was disclosed and how it was done is expected to lead to some contentious days of testimony and cross examination of board members. Regarding the CanWest deal, even the government's documents highlight significant confusion and disagreement among outside lawyers over what needed to be made public, underscoring that issues of disclosure and approval are not always black and white, even to seasoned legal minds.

On the charges of obstruction of justice, defence lawyers will argue that the boxes Black removed from his Toronto office contained only personal items unrelated to any court orders. Who, after all, doesn't remove personal belongings when leaving a job? Last year, the judge in the case, Amy St. Eve, ordered the boxes be turned over to prosecutors, to the objection of Black's lawyers.

The boxes are currently with the Canadian court, says Jane Kelly, a lawyer with the defence team. Because the boxes are in Canada, the U.S. prosecutor must proceed by the Mutual Legal Assistance Treaty (MLAT) to get them, she explains. The matter is currently before the Canadian court. "We're making submissions about the validity," Kelly says. "We're trying to work through before March 14, but there's no guarantee." The exact contents of the boxes have not yet been disclosed.

As for the attention-grabbing details of corporate excess, the defence will argue that Black's social expenditures were all part of building a media empire that relies on top level contacts and social exposure. Perks are part of the corporate game, and criminal lawyers say juries generally understand that executives make a lot of money and won't convict people simply for living high off the hog. For example, the defence will argue that the birthday party for Black's wife in New York was a legitimate corporate expense because it coincided with a directors' dinner that had long been in the works. Black, it will be argued, generously agreed to pay for parc

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○	○	Are you a smoker or former smoker 40 years of age or older?
○	○	Do you have cough with mucous that doesn't go away?
○	○	Do you get a lot of chest infections?
○	○	Do you get short of breath when doing a simple activity like climbing stairs?

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of the dinner with his own money precisely to avoid any hint of impropriety. But if these sorts of details become too much of a focus, the defence will seek to turn it around on the government, says Buell. "Every time the government emphasizes that evidence, come back and say, 'this is irrelevant and the only reason they're emphasizing it is because they know the substance of their case is weak.'" The defence will make it hard for prosecutors to strike a balance between evoking moral outrage and leaving jurors feeling manipulated.

Just as with the government's strategy, how the defence handles Radler is crucial. Radler's cross-examination will be gruelling—it could



THE BLACKS' LIFESTYLE WILL BE PUT UNDER THE JURY'S MICROSCOPE



FORMER TYCO CEO Dennis Kozlowski was sentenced to 25 years in prison over details of his lavish spending of company money

British peer denies allegations of 'looting' and claims 513-page report 'is laced with outright lies'

RICK WESTHEAD
RUSINESS REPORTER

Conrad Black and his cronies plundered hundreds of millions of dollars from Hollinger International Inc. while its high-profile board did nothing to stop him, according to a scathing report commissioned by the publishing company.

In a 513-page report that caps a



Conrad Black and Hollinger International are currently embroiled in a bitter legal battle.

go on for a week or more, say lawyers familiar with the case. The aim will be to make Radler look like a liar, or at least an unreliable witness. "If you make him look dirty, if he comes across as shifty, the jury may just hit the 'off' button," explains Henning. Greenspan has acknowledged that is a weakness he will surely exploit: "Now he's got to admit that everything he said before was a lie. And it's, 'Well, which is the lie? Now? Then?'"

Furthermore, by asking Radler what sort of jail time he was facing before he struck a deal with the government, the defence can use him as leverage to give the jury a sense of the massive jail time Black now faces, something they are never otherwise told, says Horowitz. "The jury will go, 'wait a minute, killers get 25 years.'" Jurors may sympathize with Black's plight if they understand that by convicting him, he won't simply receive a slap on the wrist, but could go to jail for the rest of his life.

Black's lawyers will seek to isolate Radler and attempt to show that, working from his office in Chicago, he was behind the non-competes, and he was the one assuring everyone that the agreements were on the level and approved by the board, when in fact they may not have been. According to the Breeden investigation, for example, Boultbee reported that "Radler assured Atkinson that the [non-compete] payments had been approved." Black also hinted at this strategy when he spoke to reporters after appearing in a Chicago court in December 2005. "The obligation of all of us is to tell the truth. And if the truth is that he committed a felony, he's right to admit it. Better late than never. If he goes further and tries to incriminate innocent people, that is something else," he said.

But guilt alone may not undermine Radler's credibility. "Prosecutors will argue we didn't pick Mr. Radler. Mr. Black did—as his business partner," says Kent, the former government attorney on the Black case. "If you're going to get an inside view of criminality, you're going to have to get it from a criminal." Indeed, the testimony of high-ranking individuals has been pivotal in both the Enron and WorldCom trials, says Buell. The Bernard Ebbers trial had former WorldCom CFO Scott Sullivan as its critical witness. The Jeffrey Skilling and Kenneth Lay trial had former Enron CFO Andrew Fastow.

Lawyers liken the Black case to that of Dennis Kozlowski, the former Tyco executive. Kozlowski used a similar defence to the one Black is expected to use. At its crudest: "I was a pig, but I was allowed to be, or nobody stopped me," explains Henning. Even though Kozlowski's first trial ended in a hung jury, he was not so lucky the second time around. He's now serving up to 25 years in prison—a bad omen for Black. But there is one final strategy the defence may employ at any time if things start to look dire: stop the trial and strike a deal with prosecutors in exchange for a lighter sentence.

It may be a prudent choice, but to those who know anything about Black, it's highly unlikely. This has been a scorched earth confrontation from the start, fanned by high-pitched rhetoric on both sides. The time for deals, it would seem, has long since passed. Prosecutors are interested only in abject surrender, and Black is willing to contemplate only total vindication. As the prime defendant said himself last year, when he entered a not-guilty plea to all charges, "It's going to be a great trial." M

With Charlie Gillis and Anne Kingston

STAN HONDA/AFP/GETTY IMAGES; TIM GRAHAM/CORBIS/SYGMA

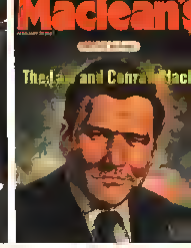




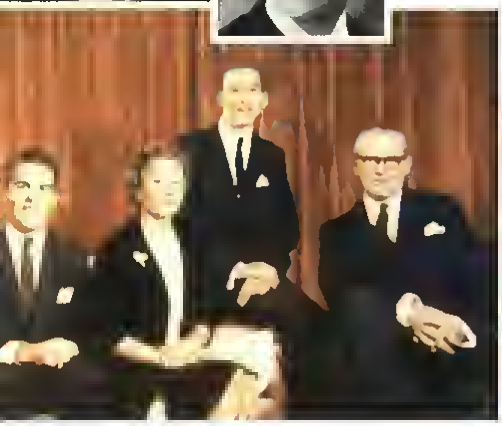








Black at UCC (top left); an undated photo of George Black (left) at the Riley family Christmas in 1953 (above); with his brother Monte and Dominion Stores executives in 1978 (below), and (bottom left) a portrait of the Black family brothers Montegu and Conrad with mother Jean Black (née Riley) and George M. Black









Conrad Black is 32 years old and worth $50 million. He is the Crown Prin of Canadian capitalism. Transcending his fate isn't easy, but he's trying







Marrying Shirley Walters in July 1979 (top), Black shares a laugh with Ken Thomson at the opening of Roy Thomson Hall in 1982 (above); chatting with future prime minister Brian Mulroney in 1979 (top right), joking with Hollinger director Henry Kissinger after the company's 1989 annual meeting, and Black in 1979 (bottom right) soon after gaining control of Argus

A LIFE IN PICTURES

THE TRIUMPHS, TRAGEDIES AND FURTHER ADVENTURES OF CONRAD M. BLACK

1944 (Aug. 25) Conrad Moffat Black born in Montreal

1959 (June) Black is expelled from Upper Canada College for selling exams to students. "It was all organized with James Bond élan and was the first example of Conrad's administrative brilliance."—Ralph Heintzman, UCC student at the time

Black's father enrolls him in Trinity College School, but he's "almost compulsively insubordinate," and is kicked out. He eventually graduates from Thornton Hall.

1965 B.A. in history from Carleton University.

1969 (May) The Black family and other shareholders found Ravelston as a holding company for investments.

(June) Black, Peter White, a friend from Carleton, and David Radler buy the money losing Sherbrooke *Record* for $20,000. They slash expenses and turn a profit. Black later tells a parliamentary committee that he regards many journalists as "ignorant, lazy, opinionated, intellectually dishonest and inadequately supervised."

1970 Black graduates in civil law from Laval.

1973 Earns an M.A. in history from McGill.

1974 (July 26) Black labels the Bourassa government as "the most financially and intellectually corrupt in the history of the province," adding there is a "paralytic social sickness in Quebec." That night he leaves for Toronto.

TORONTO STAR

1976 (June 19) Black's mother, Jean, dies.

(June 29) Black's father dies. "My father, George Montegu Black, Jr., was cultured, humorous, enigmatic, and in his later years, rather melancholy," Black wrote later. On the night of his death "my father and I had a little conversation, one more effort to bridge the gap of years and pathos that separates a man from his son. He called me 'a good son.' It was a deeply affecting exchange."

Backed by the family's stock holdings, he joins the Argus and Ravelston boards.

(December) Publishes a definitive biography of the late Quebec premier, Maurice Duplessis.

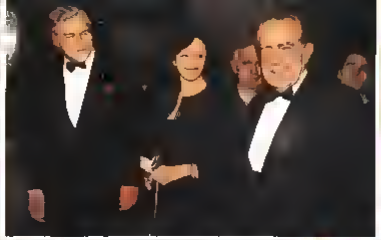
CP

1978 (May) Two months after the death of John "Bud" McDougald, the head of Argus, his widow and sister-in-law sign documents that will give Black control of Ravelston and the huge Argus conglomerate. "I'm reasonably upwardly mobile, but I'm not the ravening megalomaniac you read in the press."

(July 14) Black marries Shirley Walters, describing himself as a historian on the marriage application. (They have two sons and a daughter.)

1980 (Oct. 2) Black resigns as chairman of troubled manufacturer Massey Ferguson. Responding to critics of his business strategies, Black declares: "I am amazed by the number of so-called financial experts who are luxuriating in the view that I am some sort of punch drunk prizefighter on the ropes. Well, screw them." He goes on to sell off most of Argus's assets, transfer much of the rest into what will become Hollinger Inc., and focus on the newspaper business.







Maclean's

EXTRA

I WANT YOUR PAPER

Conrad Black plots even bigger empire

Sagging stock price puts cloud over Hollinger annual meeting

Losses narrow but shares fall to $4

Black will lose bet with shareholder

STEVE ERWIN
CANADIAN PRESS

has lost a $10 bet over whether the stock price of his Hollinger Inc. holding company would improve in time for today's annual meeting in Toronto.



MASON LEVINSON/BLOOMBERG NEWS FILE PHOTO

Conrad Black, shown speaking to Hollinger international shareholders in New York last month, is on the hook for $10.



After his divorce was complete, Black married Barbara Amiel in July, 1992 (left); with Richard Nixon (above)—Black always believed Nixon was unfairly tarnished; Hollinger's buying spree (top right) sparked outrage in the mid-'90s; the Blacks with former partner David Radler at a Hollinger meeting in 1996 (right); and signing inaugural copies of the *National Post*, for staff members in 1999 (below)







TORONTO ST

WEDNESDAY, SEPTEMBER 1, 2004

[illegible] made it their business to line their [illegible] pockets at the expense of Hollinger almost every day, in almost every way, says report commissioned by publishing company

Black and pals 'looted $400M'

After giving up Canadian citizenship, Black joined the British House of Lords in October 2001 (left); for more than a decade the Blacks (above) held court in British high society, but that changed when the scandalous allegations hit the headlines

1985 (Spring) Black buys a stake in the Telegraph newspaper group of Britain, and soon gets control

1989 (June) The Black family leaves Toronto for London "I decided Canada and I needed a rest from each other"

1992 (June) His divorce from Joanna (Shirley changed her name in 1990) is finalized

(July 21) Black marries Barbara Amiel "Beautiful, brilliant, ideologically a robust kindred spirit, a talented writer and galvanizing speaker, chic, humorous, preternaturally sexy — a cordial acquaintance for many years, she shortly became the summit of my most ardent and uncompromising desires," Black wrote later

1994 (May) Hollinger International goes public in the United States. Most of Hollinger Inc.'s newspaper assets will be transferred to International

1996 (May) Hollinger gains control of the Southam chain of newspapers, giving Black 59 of Canada's 105 dailies, and arousing howls of protest over Black's increasing dominance over the industry Black suggests the critics should "seek out whatever therapy is necessary to overcome the trauma of past abrasions and learn to distinguish the friends of the craft from its enemies"

1998 (Oct. 27) The *National Post* is launched

"I know that some people are convinced that it's an insane enterprise," says Black "But I don't know— I think the elements are quite positive. It's a strong launch And really any person of conscient age in this country will have to be brain-dead if they haven't heard of it"

1999 (June 18) Black, a dual Canadian-British citizen, is denied a peerage by PM Jean Chretien. "I find it, as a Canadian living in Britain, slightly embarrassing that the Canadian government has behaved this way," Black said. Black will later sue the government

2000 (July 31) Black sells 13 large dailies, 136 smaller papers and 50 per cent of the *National Post* to CanWest Global for $3.2 billion "I don't want anyone to think this is a disguised method of starting a process to go out of the business altogether and sell out everything," Black says "But I do not want anyone to think on the other hand it is just a bit of public relations to try and get some speculative fizz on the stock."

2001 (May 18) After losing his court case, Black announces he's giving up his Canadian citizenship because "I am thus now the only adult, sane, solvent, unincarcerated citizen of the United Kingdom ineligible to receive an honour in that country"

(Oct. 31) Black takes his seat in the House of Lords with the title of Lord Black of Crossharbour "Renouncing my citizenship was the last and most consistent act of dissent I could pose against a public policy which I believe is depriving Canada of its right and duty to be one of the world's great countries"

2002 (May 23) At International's contentious annual meeting in New York City, investor Edward Shufro informs Black that disgruntled shareholders, angry over a languishing stock price and rising payments to Black and others, are "trying to be polite about it, but [what] they're telling you is that they consider you a thief"

2003 (April 20) Black chides the critics of his large pay package. "We are not running a Christian Scientists' meeting here where we all have to sing from the same hymn sheet. Anybody who complains about it can take a hike"

(May 19) Investment firm Tweedy Browne Co. sends a "demand letter" to International—and files it with the U.S. Securities and Exchange Commission—asking its directors to investigate lucrative payments to its executives, including Black and Radler, and seeks "disgorgement" of the funds

(May 22) International announces it will establish a special committee to independently investigate Tweedy Browne's allegations "I have no fear that any seriously bad behaviour can be found. None has occurred," Black says "We will do our best to ensure that corporate-governance fanatics don't throw the baby out with the bathwater"

(Nov. 17) Black steps down as CEO of International after investigators report that US$32.15 million in payments were made to insiders, including Black, without approval Radler steps down as president and COO of International, along with corporate counsel Mark Kipnis and director Peter Atkinson. John Boultbee, an executive vice-president is fired. "There's absolutely no question about the probity of my own behaviour in these matters," Black says. "I suppose I'm having a two-minute period in the penalty box."

2004 (Jan. 18) International removes Black as chairman, and sues him, Radler, Ravelston and Hollinger Inc. for more than US$200 million, claiming their actions caused the firm to incur years of "unreasonable and unjustifiable fees."

(Feb. 13) Black launches an $850-million lawsuit against some of International's directors and advisers, alleging that "false and malicious representations" about him have caused him to be "pilloried and mocked mercilessly in the media," and made him a "social leper" and a "loathsome laughingstock."

(Feb. 26) After finding Black "evasive and unreliable," a Delaware judge blocks Black's sale of International to Scotland's Barclay brothers The ruling says that Black's "explanations of key events and his own motivations do not have the ring of truth" and that he "breached his fiduciary and contractual duties persistently and seriously"

DAILY TELEGRAPH PETER BREGG/MACLEAN'S TORONTO STAR REUTERS

GETTY IMAGES DAILY TELEGRAPH



(Aug. 31) In a scathing 513-page report, International accuses Black, Radler and other execs of running a "corporate kleptocracy" that colluded to steal US$400 million from International to satisfy their "ravenous appetite for cash." Black says the report is merely "recycling the same exaggerated claims laced with outright lies that have been peddled in leaks to the media" for months.

(Nov. 15) The SEC files civil fraud charges against Black, Radler and Inc.

2005 (March 29) Hollinger Inc. launches a $635-million lawsuit against Black and other insiders claiming they acted in "bad faith."

(May 30) In response to questions about his legal situation, Black tells a magazine reporter, "I have no doubt that mothers in America use my name to frighten their children into finishing their vegetables. But this is not a permanent state of affairs."

(Aug. 16) U.S. federal prosecutor Patrick Fitzgerald lays criminal fraud charges against Radler, lawyer Kipnis and Ravelston. Radler will plead guilty and agree to 29 months in jail and to co-operate with the government.

(Nov. 17) Fitzgerald announces criminal fraud charges against Black, Boultbee and Atkinson as well as more against Kipnis, alleging that they took US$84 million from International. "There's no truth or substance whatsoever to these charges," Black says. "This has been one massive smear job from A to Z, and it will have a surprise ending ... a complete vindication of the defendants, and exposure of their persecutors."

(Dec. 16) Black pleads not guilty and is released on a US$20-million bond. "It's going to be a great trial."

2006 (June 23) Seeking to revoke his bail, prosecutors allege that Black misrepresented his worth. "Lord Black's assets mysteriously increase in value without his knowledge [while] his debts diminish overnight." (On Aug. 10 the judge increases Black's bond by US$1 million in cash.)

(Sept. 15) Black's lawyers ask the judge to throw out most of the U.S. criminal case, and complain that the prosecution has attacked him on the basis of his wealth, making it impossible for him to receive a fair trial. "Since Biblical times, and probably before, the wealthy have been envied and condemned ..." On Dec. 21, the judge rules against him.

(Sept. 25) Black says he is going through "normal channels" to regain his Canadian citizenship. "I have settled into my new life as a freedom fighter."

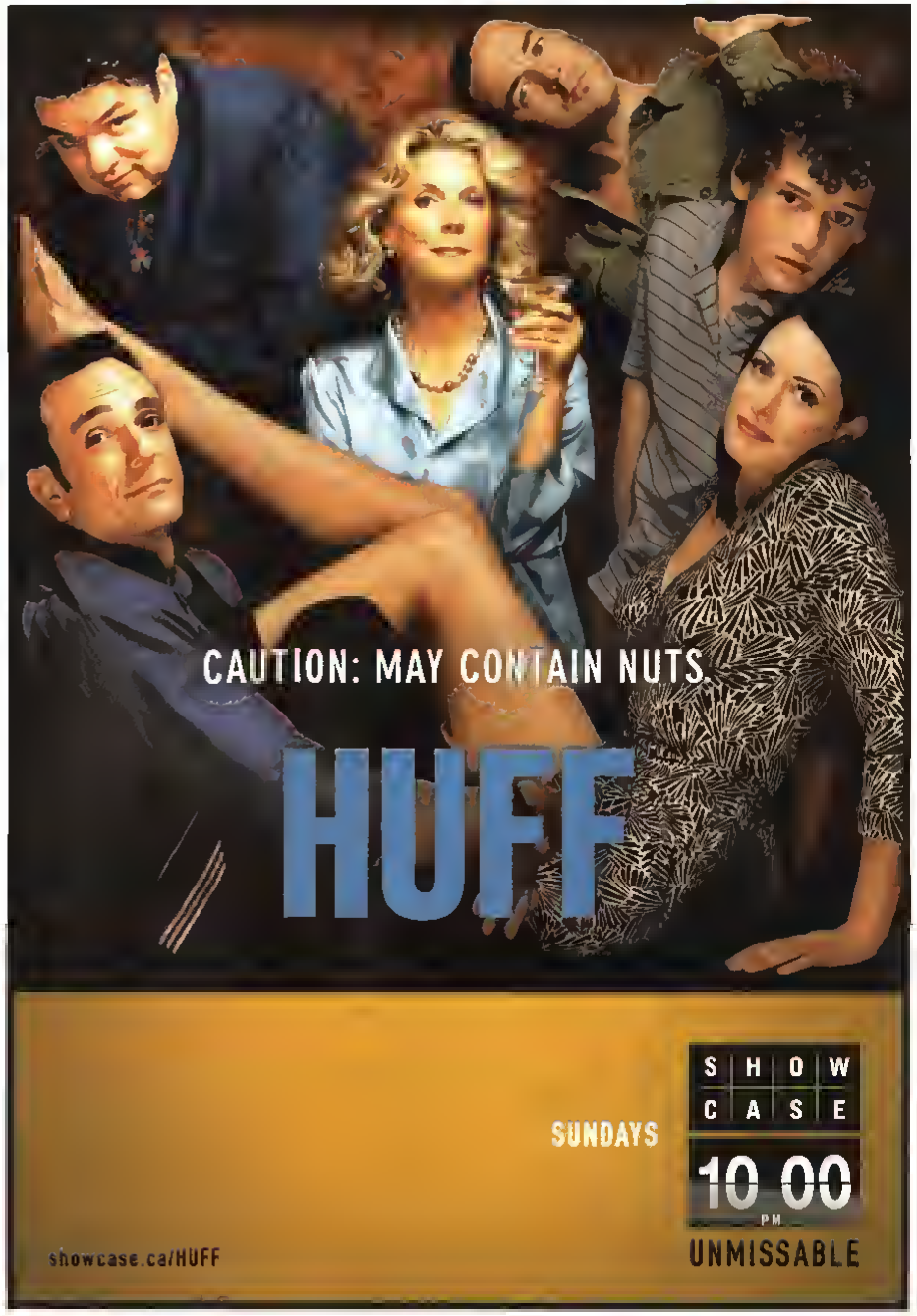
2007 (January) Ravelston confirms that the company will plead guilty and co-operate with prosecutors.

(Feb. 19) Black launches an $11-million libel suit against author Tom Bower for his book *Conrad & Lady Black: Dancing on the Edge*. Bower's "keyhole, smut-mongering side-piece portrayal of my wife as a man-eating sex maniac prior to her marriage to me is disgusting."

(March 14) The trial begins. M

Compiled by Patricia Treble

PETER BREGG/MACLEAN'S; AP; CP



THE DEFENCE

EDDIE GREENSPAN TAKES ON THE CASE OF HIS LIFE, PLAYING BY NEW RULES, ON A FOREIGN STAGE • BY ANNE KINGSTON

Eddie Greenspan sits in his shirt sleeves in his wood-panelled office in a former bank building in down town Toronto It's mid February He's holding forth on why he won't talk about the case of the United States vs Conrad Black. "I will not discuss the defence," he says "All I can tell you is that we're pleading not guilty, absolutely pleading not guilty We're going to Chicago ready for the trial This is our chance, now, in a court of law, to have Conrad Black vindicated"

A jury of 12 will try this case, Greenspan explains "That's where trials are conducted—or at least that's what I was taught in law school—not in the press" Still, he can't help himself This is a guy who read the Criminal Code on his honeymoon Who closed down his practice for months to do pro bono advocacy against the death penalty Who, at age 62, still puts in 18-hour days, six days a week. Who has said he'll never retire Law isn't his profession, it's his fetish

Greenspan's status as Canada's most prominent criminal defence lawyer derives in good part from his formidable courtroom skills But his codependent relationship with the media hasn't hurt either "Look, you can ask me whatever you want," he says in the amiably gruff manner that has bonded him with countless juries "I don't mind you trying But I will never cross the line of talking about the trial" And then, he does It's a bravura performance, he deftly defends his client, describing a "calculated attack" against him, all the while teasing his audience with possible defence gambits

"I'm not didactic about anything in this case," he says "I don't have a firm view on what we should or what we shouldn't do because we do not have a firm or clear view of what the prosecution's going to do" Twenty minutes later, he's laying out the prosecution's MO "Trust me, trust me, they will take the position—because prosecutors invariably do—they will downplay the significance of David Radler," he says, referring to Black's former right-hand man who cut a deal with the government, agreeing to testify against Black "Of course they won't be able to explain, if they're down playing the significance of Radler, why they gave him such an obscenely wonderful deal" He goes on. The infamous tip to the Bergdorf Goodman doorman, the dinner at Le Cirque with the Kissingers, all of it has been distorted, he claims The tip? Paid by a driver The dinner? A legitimate business expense

Greenspan may be world-famous in Canada, but when he appears for the first time at federal court in Chicago on March 14, the stage will be new and unfamiliar. Imagine the country's best actor appearing on Broadway for the first time Or, to use a sports analogy, a player who has excelled in the National League playing by American League rules without home field advantage. For Greenspan, the stakes have never been higher Black faces a potential jail sentence of 95 years—longer than that of someone accused of murder in Canada. Greenspan and noted Chicago criminal defence attorney Edward Genson will be under the scrutiny of the international media. His performance will determine Black's fate and his legacy Certainly, it's seen as the cap of an illustrious career that dates back to Greenspan's precocious desire to become a lawyer as a boy in Niagara Falls, Ont He was inspired by his father who completed one year of law school before being forced to drop out to take over the family's scrap business Joseph Greenspan died of a heart attack at age 42 before seeing his two sons, Eddie and his younger brother Brian, rise to the top of the field Called to the bar in 1970, Greenspan made a name for himself—win or lose Two of his most famous early cases, in fact, involved men accused and eventually convicted of arranging the murders of their wives: Peter Demeter in 1974 and Helmuth Buxbaum in 1986 (Greenspan's purported $1.3 million fee for defending Buxbaum prompted countless lawyers to quip "I could have gotten him convicted for half that") His wins have been equally high-profile. His successful 1998 defence of former Nova Scotia premier Gerald Regan on 17 sex-related charges is still seen as a Houdini act The acquittal stemmed in part from Greenspan's portrayal of Regan as the victim of an unfair, biased and politically motivated investigation, a strategy that has resonance in the Black case.



THIS IS A MAN WHO READ THE CRIMINAL CODE ON HIS HONEYMOON



GREENSPAN is as comfortable before TV cameras as he is in the courtroom

LYNN KERSEY (2); AARON HARRIS/CP

MENDING MINDS

Television personality Jann Pauley had it all—career, loving husband, healthy children. Then mental illness struck and she had to deal with a whole new reality. Pauley brought her story to the Alberta Mental Health Board's Research Showcase in Banff, where mental health experts from around the world shed new light on an illness that afflicts one in three Canadians at some point in their lives. Here's what Showcase [illegible]

AMHB
ALBERTA MENTAL HEALTH BOARD
Advancing Mental Health

INFORMATION SUPPLEMENT



Message from Honourable Dave Hancock

MINISTER OF ALBERTA HEALTH AND WELLNESS

As we work to improve wellness and promote lifelong health for all Canadians, we must never forget that good mental health is a vital part of achieving that goal

In Alberta, the Alberta Mental Health Board (AMHB) is the provincial health authority that oversees and advances the mental health system. The AMHB serves in an advisory capacity to me as the Minister of Health and Wellness, and works with the province's nine health regions to advance system-wide mental health priorities.

The AMHB places special emphasis on advancing mental health research. The rationale is simple. Excellence in research is the foundation on which all other progress—including improved prevention and treatment programs—is built.

The AMHB recently hosted its second annual Research Showcase conference in Banff, bringing together mental health experts from around the world. I am pleased that through this publication, we are able to share their insights with Canadians from coast to coast.

As you will read, the Research Showcase dealt with a broad range of mental health issues. One recurring theme was the critical need for early support and intervention. Research shows that half of all lifetime cases of mental illness begin by age 14.

Alberta remains committed to leading and supporting improvements to the mental health system, for the benefit of our citizens—and all Canadians.

Dave Hancock, Q.C.
Minister

The Alberta Mental Health Board gratefully acknowledges the support of the following organizations in presenting this Special Report.

BC Mental Health & Addiction Services

BC Mental Health & Addictions Services is an agency of the Provincial Health Services Authority. The agency provides a diverse range of mental health services to people across British Columbia. These include specialized tertiary treatment services for adults, adolescents and children; forensic psychiatric services; research and knowledge exchange; and mental health promotion.

camh
Centre for Addiction and Mental Health

The Centre for Addiction and Mental Health (CAMH) is one of the leading addiction and mental health organizations in North America and Canada's largest mental health and addiction teaching hospital. CAMH is a Pan American Health Organization and World Health Organization Collaborating Centre, and is fully affiliated with the University of Toronto. CAMH combines clinical care, research, policy, education and health promotion to improve the lives of people impacted by mental health and addiction issues.

Health Canada / Santé Canada

Health Canada and the Public Health Agency of Canada (PHAC), Alberta Region, support programs and services designed to help communities build capacity in managing mental health issues. Through existing mental health service providers, Health Canada and PHAC work with many community groups, including First Nations organizations on and off reserve, as well as various multicultural and immigrant organizations. Program support focuses on helping communities develop and provide preventative, educational and support services related to mental health within their communities.



MENDING MINDS:

2006 AMHB Research Showcase

JANE PAULEY SEEMED THE EPITOME OF A MODERN WOMAN WHO HAD IT ALL. Happily married to Garry Trudeau, the renowned creator of the Doonesbury comic strip, Pauley was mother to three healthy and vibrant children. She also had a brilliant career, catapulted into co-hosting NBC's *Today* show in 1976, at the age of 25. Pauley's smiling image was beamed into North American households every weekday morning for the next 13 years. She followed that with a lengthy stint co-anchoring the network's popular primetime newsmagazine program, *Dateline NBC*.

In an industry brimming with divas and self-promoters, Pauley displayed a level-headedness that once prompted the president of NBC News to declare, "Jane Pauley has the best mental health in the business." As Pauley recalls, "The common perception was that I had my priorities in order and my head screwed on straight. I was not the smartest, toughest, hardest working nor most beautiful woman in network television. But I owned normal."

It was an image that Pauley herself endorsed—and embraced. Raised in a middle-class household in Indianapolis, Pauley's family could have easily stepped out of a Norman Rockwell illustration. Dad was a traveling milk salesman and church elder. Mom sewed the kid's clothes and kept the home fires burning. "The only thing extraordinary about my childhood," said Pauley, 'was the singular ordinariness of it all."

But as she grew older, trouble signs emerged. During Pauley's second year on the Today show, she discovered that her father had been a secret drinker most of his adult life—so much so that his liver was in imminent danger of shutting down. In 1989, in the midst of tensions on the *Today* set, Pauley slipped into what she later recognized as a depression, though it went undiagnosed at the time. Then there was her recurring struggle with hives, which mysteriously flared up every seven years, usually when she was, for one reason or another, feeling stressed.

By the spring of 2000, Pauley's latest, and worst, case of hives took a dangerous turn. Swelling in her throat blocked her ability to breathe, resulting in repeated visits to the emergency room. Pauley's doctors treated her with steroids, which cured the hives—and triggered something else entirely.

Pauley started to experience mood swings, including manic spells when she would go on wild shopping sprees and talk improbably about launching her own line of clothing. Diagnosed with a rare case of drug-induced bipolar disorder (also known as manic depression), Pauley spent three weeks in a psychiatric hospital in New York City in May, 2001.

Placed under 24-hour supervision, Pauley was startled to be told to keep her hands above the bed sheets at all times. "That's when I finally faced the reality of the words 'mental illness,'" she recalls. "Until then, mental illness had been an abstraction to me. Now I felt like an abstraction. To be mentally ill. Is to not recognize yourself and to stand in front of your family and to realize they don't know who you are."

With the help of medication, Pauley got better and returned to *Dateline NBC* that fall (she left the show two years later). In 2004, she disclosed her condition to the world in her memoir, *Skywriting: A Life Out of the Blue*. Since then, Pauley, 56, has emerged as an outspoken mental health advocate, which is how she came to relate her remarkable story in an opening address to the Alberta Mental Health Board's second annual Mental Health Research Showcase held in Banff Oct. 30 to Nov. 1, 2006.

In many ways, Pauley's speech sat the tone for the conference, which drew together 400 mental health and addictions researchers, clinicians and policymakers from across Canada, the United States and as far afield as Australia. Pauley invoked what became a common theme over the next few days, namely that attitudes toward the mentally ill are approaching "a tipping point"—moving away from centuries-old stigma and shunning in favor of accepting mental illness as a prevalent, and treatable, medical condition.

"I grieve for my lost mental health," Pauley told delegates. "I worry about what's to come and about my family. But I've never felt guilt or shame. And if I can do anything to nudge us a little closer to this tipping point of acceptance, why wouldn't I speak out?"

The Alberta Mental Health Board (AMHB) is the provincial health authority that oversees and advances Alberta's mental health system. The AMHB is involved in numerous initiatives, including advocacy, policy advice and working with regional health authorities and stakeholders to improve and facilitate mental health research and services. The AMHB also collaborates with inter-provincial, national and international partners. Hosting the Showcase conferences—which are designed to shine a spotlight on the very best mental health research worldwide—is an integral part of the AMHB's ever-evolving mandate.

"To improve mental health care, we need to be able to translate research findings into change at both policy and practice levels," says Laurie Beverley, Vice-President, Programs and Research, for the AMHB. "By gathering together experts from so many different fields, the Mental Health Research Showcase is a key mechanism for doing just that."

Three years ago, the AMHB led the development of a provincial mental health plan setting out a vision for making Alberta a world-class leader in mental health research. A partnership committee was charged with realizing that vision. In 2006, the committee set out an agenda for the next three years centered on four key themes: the effectiveness of mental health services, child and adolescent mental health, mental health in the workplace, and mental health and addictions. These themes were all reflected in the topics and speakers featured at the 2006 Showcase conference.

The AMHB is active on several other fronts. Over the past two years, the board has developed strategies to deal with suicide prevention as well as children's and aboriginal mental health. The AMHB created a mental health magazine, *Grip*, and web site (*www.griponlife.ca*), written by and for teens, and introduced Mental Health First Aid Canada, a program that gives health care providers, teachers and others the skills to recognize and deal with people who exhibit symptoms of mental illness. The board is also in charge of monitoring a three-year, $75 million Innovation Fund from the Alberta Health and Wellness ministry to ensure that innovative ideas for improving the mental health system are making a difference to Albertans.

Yet another step forward is the Alberta Centennial Mental Health Research Chair program. Over the next three to five years, the AMHB and its partners plan to attract leading mental health experts to fill research chair positions located at Alberta universities. The objective: to provide strong, credible research that will result in effective mental health treatment and prevention programs.

The vision being pursued by the AMHB extends far beyond Alberta's boundaries. In particular, BC Mental Health and Addictions Services is a key partner and a co-sponsor of the Showcase conferences. "We are very pleased to be part of this event," says Patrick Smith, Senior Advisor for the British Columbia agency. "We see the Showcase conferences as an example of how our two provinces can work together to advance mental health."



FOR MENTAL HEALTH REFORM

Similarly, the AMHB provided information and advice to the Parliamentary committee, led by Senator Michael Kirby, that issued last spring's landmark report, *Out of the Shadows: Transforming Mental Health, Mental Illness and Addictions Services in Canada*. One of the report's chief recommendations is the creation of a Canadian Mental Health Commission—an arm's length agency, funded by the federal government, to coordinate mental health reform across the country.

The AMHB intends to play a significant role in reforming Canada's mental health care system—with the information gleaned from the Showcase conferences helping pave the way. As they had at the inaugural event in 2005, delegates resisted the lure of the snow-peaked Rockies in favor of marathon conference sessions. For three days, they listened attentively to expert presenters and peppered them with probing questions. They pored over more than 100 academic abstracts on everything from cyber-bullying to the impact of native sweat lodge ceremonies on mental well-being. They exchanged ideas and came away more determined than ever to harness the best in research to improve the lives of the millions of people who struggle daily with mental illness. What follows are some highlights of what conference participants learned.

HELP WANTED:
The Gap Between Need and Care

"We have the knowledge to really improve mental health services and outcomes. We have to look at why it doesn't happen. We know many of the barriers. Do we have the will to break them down?"

– **ROGER BLAND**, EXECUTIVE MEDICAL DIRECTOR OF THE ALBERTA MENTAL HEALTH BOARD, AMHB SHOWCASE, NOVEMBER 1, 2006



CANADA: $33 BILLION EACH YEAR

One of the biggest challenges facing the mental health care system is the gnawing chasm between the ever-growing demand for services and the system's ability to respond. Many are suffering. Far too few are being helped.

For decades, governments have treated mental illness like the orphan of the health care system, leaving the sector chronically under-funded and under-staffed. Such neglect would seem to suggest that mental illness afflicts only an unfortunate few. Nothing could be further from the truth. One in three individuals will experience a mental health problem at some point in their lives. In Canada, that translates to more than 10 million people.

The suffering often begins early: the average age of onset of anxiety and impulse disorders is a mere 11 years, while schizophrenia and bipolar disorder typically strike in the teen years or early twenties. Depression—the most common mental illness—often hits people during what should be their most productive years.

In Canada, mental illness is estimated to cost the economy $33 billion each year in disability and lost productivity. We currently spend another $6 billion to $8 billion annually to treat these conditions. More hospital days are consumed by people with a mental illness than by cancer and heart disease patients combined.

Yet for all of that, mental health practitioners know they are only reaching a fraction of those in need. Research shows that two-thirds of adults who experience mental illness never seek help; for adolescents, the figure is 75 per cent. Of those who do seek treatment, the majority will first report symptoms to family physicians who are often ill-equipped to recognize or deal with mental illness.

This situation is not unique to Canada and delegates to the Showcase conference heard from a pair of international experts, Graham Thornicroft and Scott Henderson, about efforts underway in Britain and Australia to close the gap between need and care.

Dr. Thornicroft is a professor of community psychiatry and Head of the Health Services Research Department at King's College in London. He spoke about the importance of providing a wide variety of community-based residential care options for people with mental illness. One study followed 1,000 long-term patients who were moved into the community after two London hospitals shut down—a development many viewed as a cynical attempt to save money. The residents were interviewed before they left the hospital, a year after they moved out and again five years later. Three-quarters reported an improvement in their quality of life and 80 per cent said they'd recommend that others in their situation also leave institutionalized care. "We concluded," said Dr. Thornicroft, "that community care was not just cost-effective, but effective overall."

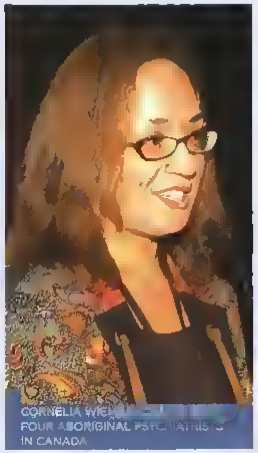
Dr. Thornicroft also stressed the importance of shaking health care providers out of old habits that sometimes work against the best interests of patients. "If allowed to set their own referral protocols, providers will go for a manageable, if not quiet, life," he said. "For example, they'll say 'we're here to provide cognitive behaviour therapy but sorry, we won't take people with a forensic history, or current drug misuse or personality disorders and so on.' So those people are being systematically excluded and forced to default to a lower quality of care—if they get treatment at all. Senior managers simply cannot allow this to happen."

Dr. Henderson, Professor Emeritus at the Australian National University, reported on an ambitious set of reforms recently proposed by Gavin Andrews, who is a professor of psychiatry at the University of New South Wales. Andrews' plan calls for a 30 per cent increase in Australia's mental health care budget, which he says would result in 50 per cent more people being treated and a 90 per cent increase in improved health.

The major steps in Andrews' strategy are to identify the number of people seeking help for various mental disorders, marshal the evidence for the most effective treatments, canvass experts on the staff and facilities required to deal with each disorder—and then put it all into practice. Another key element is better education for health care professionals and the general public alike on mental health research that points to effective solutions.

Andrews says the reason so few people seek treatment is that they are ashamed of needing help, they think nothing can help, or they remember the doctor wasn't any help the last time," said Dr. Henderson. "But there are good treatments—they just don't reach the people who need them for some very disabling conditions."

In Canada perhaps the biggest divide between need and care concerns the aboriginal population Aboriginals of all ages experience rates of major depression and suicide double or even triple the Canadian average Up to one-in-three children from First Nations communities will experience a psychiatric diagnosis sometime in their youth


CORNELIA WIE... FOUR ABORIGINAL PSYCHIATRISTS IN CANADA

Cornelia Wieman, co-director of the Indigenous Health Research Program at the University of Toronto told delegates about one promising avenue of reform Dr Wieman who is one of only four aboriginal psychiatrists in Canada, is part of an initiative known as 2020 Vision which is helping to boost the number of aboriginal medical students at Ontario universities

Currently, there are only 150 to 200 aboriginal physicians in Canada most of them general practitioners The biggest shortfall is in Ontario where there are 25,000 physicians only a dozen of whom are aboriginal Based on population percentages there should be at least 500 aboriginal doctors in the province

Western Canadian universities (in particular, the University of Alberta and the University of Manitoba) have done a good job in recruiting aboriginal medical students said Dr Wieman But Ontario lags far behind About five years ago, the Six Nations community near Hamilton spearheaded Vision 2020 which is working at the school, community and university levels to encourage aboriginal youth to improve their math and science skills and pursue a medical career They are having some success this year there are 21 aboriginal medical students enrolled at Ontario medical schools Five years ago there was only one

Why is this important? Dr Wieman points to her own experience as staff psychiatrist for eight years (1997-2005) at the Six Nations Mental Health Services Clinic, where all of the staff were aboriginal During that time none of the clinic's 800 clients committed suicide and the medical team managed to end what Dr Wieman calls "the revolving door syndrome" in which a few individuals were repeatedly admitted to hospital for psychiatric disorders

"Psychiatry has a long way to go to promote itself in our communities in a positive way' said Dr Wieman "We felt that, being aboriginals, there was at least one reason why people felt more comfortable coming forward to seek care"

"It's time to get on with the job"



Ray Block president and CEO of the Alberta Mental Health Board believes the time has come to act on mental health reform In making this statement he cites the Senate committee report *Out of The Shadows At Last* that [illegible] has been neglected for [illegible] lack of [illegible] and support provided to the tens of thousands of Canadians who struggle every day with mental illness

Alberta can play an important role in helping to realize the vision set out in the report says Block Many of the directions and initiatives the committee says Canada should adopt are already well underway in the province

In April 2004 the AMHB in partnership with its health regions and other health organizations developed a provincial mental health plan that sets out a clear vision for the future of mental health in the province A key priority identified was the need to create a mental health research agenda for the province focused on the information needs of Albertans and the mental health system

Under the leadership of AMHB and through broad engagement with stakeholders the provincial mental health research plan was developed and Alberta's Mental Health Research Partnership Program was initiated

The Program brings together advocates providers researchers and policy makers throughout Alberta who are focused on research that informs and guides decisions helps set policies and priorities improves outcomes for people living with mental illness and supports ongoing innovation

It's initiatives like the Alberta Mental Health Research Showcase says Block that further engage the provincial national and international mental health research communities becoming a catalyst for new ideas and directions

TROUBLE IN MIND: Addictions And Mental Illness

"Concurrent disorders are the expectation rather than the exception"

– **NADY EL-GUEBALY** HEAD OF THE DIVISION OF ADDICTION PSYCHIATRY UNIVERSITY OF CALGARY AMHB SHOWCASE OCTOBER 31 2006

The better part of a full day—or about one-third of the entire Showcase conference—was given over to the issue of drug and alcohol addiction Why so much talk about substance abuse at an event meant to highlight mental health research? The reasons are two-fold The first is that large numbers of people with mental illness also struggle with substance abuse The second is that the two fields, mental health and addiction services have traditionally operated in their own silos—often to the detriment of patients who suffer from what is commonly referred to as "concurrent disorders" There is now almost universal agreement that this must end There is less consensus on how this can be done



Dr el-Guebaly told delegates of one promising model—the Addictions Program established by the Calgary Health Region Starting with a pilot outpatient clinic in 1987 the program has evolved into an ambitious effort to marry the expertise of mental health and addictions practitioners The key is to tailor treatment to the individual, not to the system "You have to reach the person where he's at,' explained Dr el-Guebaly "If you offer only one option—abstinence for example—then people will walk out And you cannot help people you cannot reach"

Another example of bridging the disciplines came from Chapman Sledge, Medical Director of Alcohol and Drug Treatment Services at Pine Grove Recovery Center in rural Mississippi Dr Sledge noted that all of the staff whether coming from an addictions or mental health background are committed to identifying and treating concurrent disorders Turf wars are also avoided by the fact that physicians are salaried employees rather than working fee-for-service "We've developed a culture of collaboration,' said Dr Sledge, 'and those who don't fit in, don't last"

Delegates also got some fascinating insights into the roots of addiction Bryan Kolb professor of neuroscience at the University of Lethbridge has conducted extensive studies showing that repeated exposure to drugs—whether it's cocaine or caffeine, amphetamines or nicotine—produce chronic alterations in brain circuitry and structure These changes vary according to age with the young being the most vulnerable Once the changes occur, they are very difficult to reverse

One of Dr Kolb's chief findings is that drugs wreak havoc with the formation of synapses—the critical connections that allow the brain to absorb and process information Animal studies (most of Dr Kolb's work is with rats) show that functions learned while under the influence of drugs prove difficult to replicate once the drugs have worn off In human terms this would mean that if, say you learned how to play a musical instrument while high you would struggle to repeat the feat after you've come down

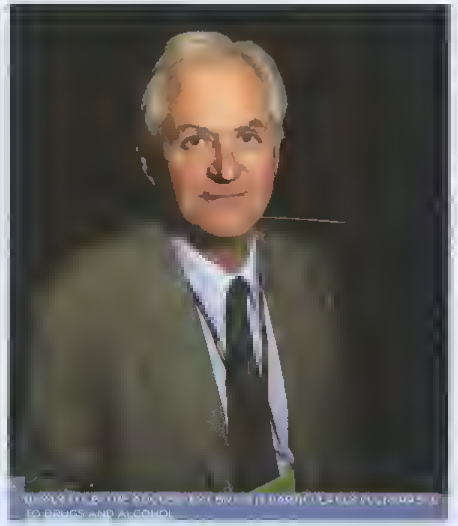
The developing brain is most at risk The formation of brain synapses actually peaks at about the age of one From then until about age 18, synapses are being radically "pruned," so that we are actually losing hundreds of thousands of these connections each second. By the time we leave adolescence the brain's "grid"—the basic pathways that determine how well or easily we will learn new things—has been pretty much established in that light, said Dr Kolb it's easy to understand why the infant and adolescent brain is particularly vulnerable to the vexing effects of drugs and alcohol

Why do some people become addicted while others do not? The jury is still out said Dr Kolb but some clues are emerging A person's stress level will affect their susceptibility A pre existing psychological condition, such as depression, may also increase the likelihood of addiction On the other side a person who is intellectually stimulated and has a broad range of prior life experiences is less likely to succumb to addiction than one whose lifestyle and interests are more circumscribed

One of the most common, and troubling substances being abused these days is crystal methamphetamine Delegates received a thorough briefing on this drug from Shimi Kang Director of the Provincial Youth Mental Health and Substance Use Program at B.C. Children's Hospital, and Steve Mathias who is a staff psychiatrist with the program

With an estimated 29 million users worldwide crystal meth is more popular than heroin and cocaine combined And

while the media often focuses on street kids and ravers, the presenters noted that crystal meth actually appeals to a much broader cross-section of society, including Super Moms, professionals and graveyard shift workers. The reason? In addition to a rapid sense of euphoria, users also experience, at least in the early stages, increased levels of energy, concentration and the ability to go without sleep.



TO WHITE & THE AMHB'S TEEN SUICIDE PREVENTION PROGRAM IN THE SCHOOLS ARE CRITICAL TO REDUCING TEENAGE SUICIDE RATES.

While crystal meth can certainly be addictive, Dr. Kang echoed Dr. Kolb's research by noting that some are more likely than others to fall under the drug's spell. "People will tell me, 'I'm not sure what to do because my cousin took meth and he's a lawyer and doing fabulous, but my best friend's brother used it and he's in the psych ward. What does that mean?' My response is that it depends on how much you use and how often—but also on brain vulnerability. If you were born premature, if you fell off your bike when you were five, if you had meningitis when you were six, or if there's a family history of schizophrenia or bipolar disorder—all these things affect vulnerability. So what we know is that crystal meth affects your brain and causes neurological damage. What we don't know is how resilient your particular brain is and how well it will bounce back."

Dr. Mathias told delegates that crystal meth is capable of inducing various aspects of psychosis—including hallucinations, delusions and paranoia—that can persist for a year or more. In some cases, it can even help trigger full-blown psychotic disorders such as schizophrenia. "Crystal meth isn't enough, by itself, to cause schizophrenia," said Dr. Mathias. "But for someone who has a vulnerability to schizophrenia, it might be enough to unlock the door."

SUFFER THE CHILDREN: Mental Illness and Youth Suicide

"We know that adolescent males kill themselves three to four times more often than adolescent females. What we also need to know is what does it mean to be a male in this society and to be a male in distress?"

JENNIFER WHITE, ASSISTANT PROFESSOR, SCHOOL OF CHILD AND YOUTH CARE, UNIVERSITY OF VICTORIA. AMHB SHOWCASE, OCTOBER 30, 2006

Dealing with mental illness is a struggle at any age. But for young people, it carries a particularly heavy burden. The leading mental health conditions for children ages four to 17 are anxiety and conduct disorders, attention-deficit/hyperactivity disorder and depression. Studies show that about 14 per cent will have at least one of these disorders at some point during their youth. That means over 800,000 Canadian youngstars at any given time suffer from some kind of mental illness—conditions many will grapple with for the rest of their lives.

Sadly, children and adolescents are even less likely than adults to seek or receive treatment for mental illness. And in far too many cases, young people pay the ultimate price for their condition. In what was perhaps the most sobering statistic of all during the three-day conference, Jennifer White told delegates that approximately one-in-10 Canadian adolescents attempt suicide each year. At the same time, she said, research indicates that between 80 per cent and 90 per cent of the young people who kill themselves likely suffered from a mental disorder at the time of their deaths.

Some young people are at greater risk than others. First Nations youth are five to six times more likely to die by suicide than non-aboriginal youth. Adolescent males die by suicide three to four times more often than adolescent females.

Dr. White has worked on youth suicide for nearly 20 years. Her experience has led her to two equally important conclusions. The first is that many of the deaths are preventable. The second is that there are no simple solutions.

The key to suicide prevention, said Dr. White, is to intervene on multiple fronts as early as possible, particularly with youth who exhibit risk factors such as depression and substance abuse. This means supporting families with children at risk, promoting suicide awareness at the community level and, perhaps most importantly, taking prevention programs into the schools.

"We need to intervene with young people so they can recognize when a friend or classmate is at risk for suicide," said Dr. White. "Because we know that's who young people talk to—other youth."



DR. WHITE: PREVENTION PROGRAMS IN THE SCHOOLS ARE CRITICAL TO REDUCING TEENAGE SUICIDE RATES.

As a society, she added, we have to start looking frankly at why some young people are more prone to suicide. For example, research shows that males are less likely to seek out mental health counseling, often because they fear looking weak. "So how do we construct notions of masculinity in this society?" said Dr. White. "How is it bound up with notions of success and failure and emotional expressiveness? By having these kinds of conversations with young people, we begin to hold out hope for prevention."

Gary Hnatko, Director of the Division of Child and Adolescent Psychiatry at the University of Alberta, also made the case for early intervention—starting, in fact, with prenatal and perinatal care. Among the factors that can have a negative impact on the mental well being of the developing fetus or infant are a mother's physical and mental health during pregnancy, her use of alcohol or drugs, and obstetrical complications. The next crucial period is between birth and about five years in age. Lack of stimulation, poor nutrition and limited development of language and social skills—all of these can have negative consequences for later mental health.

"When it comes to prevention, you start with maternal health," Dr. Hnatko told delegates. "You assure the best pregnancy you can. Then, if there's additional needs in that zero-to-five age group, you make sure you take care of that as well."

As for resiliency—the ability of some children to thrive despite facing significant risk factors for mental illness—Dr. Hnatko said the most critical element was probably a child's intellectual capacity and ability to problem-solve. For that reason, he, too, stressed the importance of reaching school-age children before mental health problems emerge. "Children who perform poorly at school are more likely to develop psychiatric illness," said Dr. Hnatko. "We have to do a better job of serving kids with needs in the schools."

Getting An Early Start

Historically, funding for children's mental health programs focused on acute services for those who already exhibited signs of mental illness. But like many other jurisdictions, Alberta is now placing increased emphasis on prevention of illness and promotion of mental well being among the very young. "Healthy behaviours are learned at an early age and are often patterns for the rest of one's life," says Ruby Brown, Vice President, Advocacy, Innovation and Monitoring for the Alberta Mental Health Board (AMHB). "So the sooner we can intervene, the better."

In September, 2006, Alberta's Health and Wellness ministry provided the AMHB an additional $39 million over three years to fund children's mental health programs. The money is going toward five projects, three of which build upon the AMHB's recently announced Alberta Suicide Prevention Strategy. These include training helpers at the community level in the areas of suicide prevention and mental health, decreasing intentional drug overdoses in youth and providing help for those bereaved by suicide.

The two other projects focus on promoting mental health among school-age children. The first will see at least one teacher or counsellor in every school in Alberta enrolled in Mental Health First Aid Canada, a program that teaches how to recognize and help people who exhibit signs of mental illness. The second project will provide counsellors mentoring programs and youth coaches to meet individual school and community needs. Explains Ms. Brown, "We are trying to bring the services to where children spend a good part of their day—and that's in the schools."



LABOUR PAIN: Mental Health in the Workplace

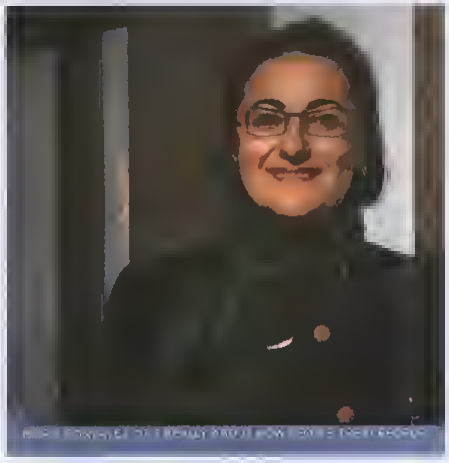
"Organizations, like people, wear down. There can be no organizational health without the mental health of employees."

– **MARIA GONZALEZ** VICE-CHAIR OF THE GLOBAL BUSINESS & ECONOMIC ROUNDTABLE ON ADDICTION AND MENTAL HEALTH AMHB SHOWCASE NOVEMBER 1 2006

In a typical workplace, one in four employees struggle with mental health issues, most commonly in the form of depression or anxiety. It's estimated that mental illness results in 35 million work days lost each year in Canada. Mental illness also accounts for up to 40 per cent of short-term disability insurance claims and is a secondary diagnosis in more than 50 per cent of long-term claims.

The toll of mental illness—in terms of individual suffering and the corporate bottom line—prompted CEOs from across Canada to support the Toronto-based Roundtable on Addiction and Mental Health. Founded 10 years ago, the Roundtable advises organizations on how to detect, treat and ultimately prevent mental illness.

Maria Gonzalez told delegates that the Roundtable took as its template a series of studies done by Gallup Inc. Surveying more than seven million people over four decades, Gallup came up with 12 key elements of organizational health and success. The factors include 'talent' (do I have the opportunity to use my talents on the job?), "opinion counts" (is my input being taken seriously?) and "committed to quality" (high-level performers like to work with others who have high standards). "All of these factors are under the control of the manager or leader," said Ms. Gonzalez. "It really is about how people treat people."



Stress is another critical issue. Those who report a consistent level of stress in their lives are twice as likely to become depressed. The Roundtable has identified 10 key sources of workplace stress. They are: lack of control over daily tasks; office politics; lack of communication; inconsistent or unreliable performance reviews; lack of appreciation (whether perceived or real); work/life conflicts; lack of company leadership or direction; unclear job expectations; random interruptions and unreasonable workloads.

The Roundtable advises organizations to adopt a three-part strategy. First, focus on early detection and treatment opportunities (depression and anxiety are effectively treated in 85 per cent of cases where help is sought). Second, determine, at the organizational level, the root cause of the mental distress (especially important if it's emanating from a single department or business unit). Third, make prevention and stress management a corporate-wide priority.

There is a strong financial incentive to act. "People are the leading indicator of an organization's performance and success," said Ms. Gonzalez. "In this brain-based economy, there are no substitutes. These are often individuals at the prime of their working life and we just don't have the talent in the workplace to replace them."

SHUNNED: Tackling the Stigma of Mental Illness

"It would be comforting to think that, while the wider world is discriminating and harsh towards people with mental illness, we health care providers are the good guys. But it's not like that."

– **GRAHAM THORNICROFT** PROFESSOR OF COMMUNITY PSYCHIATRY, KING'S COLLEGE, LONDON. AMHB SHOWCASE OCTOBER 31 2006

No conference on mental health research could fail to deal with the issue of stigma—the fact that negative attitudes and behaviour toward people with mental illness adds immeasurably to their suffering and represents a serious barrier to reform. The topic came up several times during the Showcase. The sting of stigma provided much of the emotional wallop behind *Starry, Starry Night*, a theatrical production by the Calgary Chapter of the Schizophrenia Society of Alberta. The play, performed entirely by actors with schizophrenia, includes several wrenching scenes about the harsh way the mentally ill are sometimes treated by the very system that is intended to help them.



GRAHAM THORNICROFT: "THE REAL ISSUE IS DISCRIMINATION"

In a powerful and quite personal presentation, Dr. Thornicroft struck a similar note. The British psychiatrist recalled how, after 20 years in practice, he felt disquieted by the fact so few people with mental illness ever sought treatment—and, if they did, it was as a last resort. He concluded this was because of the shame and embarrassment so many experienced. Dr. Thornicroft decided to take a sabbatical and write a book about stigma.

As he delved into the subject, and looked at it from the patient's point of view, Dr. Thornicroft was struck by the depth of prejudice directed at the mentally ill. He concluded that the most essential aspect of stigma is not so much people's attitudes, but how they act. "If I become depressed and take a leave from work and then come back several months later, I don't really care what my boss knows or feels about mental illness," said Dr. Thornicroft. "What I really care about is, will I get my job back?"

In other words, the real issue was discrimination. And what's needed, said Dr. Thornicroft, is a kind of civil rights campaign on behalf of the mentally ill. That's why he titled his book, *Shunned: Discrimination Against People With Mental Illness*.

The book includes several harrowing first-person accounts by patients. It also makes clear that, far too often, they are discriminated against by health care providers who are overly pessimistic about their chances for recovery or who display a certain paternalism. "There's actually very good evidence that people with mental illness get second or third-rate care for physical conditions," said Dr. Thornicroft. "Studies have shown that if you have a heart attack and you are known to have a mental illness, then you are investigated less, treated less and die more often. So I think we have to put our own house in order."

After Dr. Thornicroft's talk, a woman in the audience rose to ask a question. What should she do when she sees her son, who is schizophrenic, being stigmatized by hospital staff? If she complains, isn't she putting her son's care in jeopardy?

Dr. Thornicroft didn't have an answer. But he clearly empathized. "This is," he said, "a horrible dilemma."

BACK TO THE FUTURE: Mental Health in the 21st Century

"I very much hope the role of the psychiatrist will not descend to only prescribing medications. That's not what we were trained for, or what we want to carry out."

– **SCOTT HENDERSON** PROFESSOR EMERITUS, AUSTRALIAN NATIONAL UNIVERSITY. AMHB SHOWCASE OCTOBER 31 2006

Mental health care is constantly evolving. For much of the 20th Century, psychoanalysis dominated the field and the mentally ill were typically treated in stand-alone institutions. Today, psychoanalysis is in decline and even the severely ill are often cared for in community settings. So what does the next century hold?



SCOTT HENDERSON: "A BRIDGE BETWEEN THE OLD AND THE NEW IN PSYCHIATRY"

At the Showcase conference, it was left to Dr. Henderson to attempt to answer this question. His qualifications for doing so are impeccable. Dr. Henderson earned his medical degree at the University of Aberdeen in his native Scotland. He subsequently trained in psychiatry in Edinburgh and Sydney in the early 1960s. So part of him is steeped in the old school, when the theories of Sigmund Freud and Carl Jung held sway.

But Dr. Henderson, who served for 26 years as Director of the Social Psychiatry Research Unit at The Australian National University, is someone who has always moved with the times. As he told delegates, one of the monthly journals he now reads is called *Molecular Psychiatry*. "Now just imagine me reading that in front of my psychoanalytically inclined professor in the 1960s," Dr. Henderson said to appreciative laughter. "He would have thought I was not well."

Dr Henderson made an eloquent case for blending the best of the old and the new He began by noting the increasingly important contribution of the neurosciences and suggested that the future might include what he called "psychotherapy based in neurology" Just one of many exciting breakthroughs neural imaging can now reveal visible changes in brain function by a person experiencing hallucinations

Dr Henderson also cited ongoing research into molecular genetics and gene expression He is encouraged by mounting evidence that genes alone do not control health outcomes, and that it's really about the interaction of genes and environmental factors "Nature through nurture and nurture through nature," observed Dr Henderson, "but never just genes or the environment alone"

As more is learned about the neurological disturbances and unwanted gene interactions underlying mental illness, Dr Henderson predicted that new generations of drugs will be developed to target conditions such as depression and psychosis But he expressed the firm conviction that for all the scientific advances the human touch in psychiatry remains essential

"Our training is much more than molecules and medication," said Dr Henderson "At present, we exchange words with patients With good training they are well chosen words either to elicit information or to help a person in distress As technology burgeons, the need for a helpful relationship will surely remain It may, in fact, become even more important

THE WAY AHEAD: A Call To Action

'The role of health advocate has not traditionally been part of physician training And yet the challenge is upon us now to become health advocates'

- **DAVID GOLDBLOOM** SENIOR MEDICAL ADVISOR EDUCATION AND PUBLIC AFFAIRS CENTRE FOR ADDICTION AND MENTAL HEALTH (CAMH) AND PROFESSOR OF PSYCHIATRY UNIVERSITY OF TORONTO AMHB SHOWCASE NOVEMBER 1 2006

Dr Goldbloom has enjoyed a long and distinguished career as a mental health clinician, researchar and administrator These days, though, the Toronto-based psychiatrist can more often be found testifying before legislative committees, addressing union hall and school audiences and working with the media to help them understand issues surrounding mental illness and addictions As Dr Goldbloom s pithy performance at the Showcase conference demonstrated, it's a role he was born to play

Dr Goldbloom recounted how his interest in mental illness was piqued while campaigning in New Hampshire in 1972 for George McGovern the ill-fated Democratic presidential candidate In mid-campaign it was disclosed that


MENTAL HEALTH REFORM

McGovern's running mate Senator Thomas Eagleton had been treated for depression with electroconvulsive therapy in the 1950s Within 24 hours, Eagleton was off the ticket "It struck me then ' quipped Dr Goldbloom, "that maybe you should be more worried about the politicians who haven't been treated than the ones who have"

Public attitudes have since improved, noted Dr Goldbloom but much more needs to be done The Centre for Addiction and Mental Health sees advocacy as a key part of its mandate Among CAMH's many public education initiatives is a series of print and broadcast ads featuring high-profile Canadians talking about their personal experiences with mental illness One is Michael Wilson, Canada's ambassador to the United States who speaks candidly about his son s suicide Another is Ontario Lieutenant Governor James Bartleman who talks about his ongoing struggle with depression

In his current role with CAMH, Dr Goldbloom also worked closely with the Senate committee chaired by Michael Kirby Dr Goldbloom described the committee's report *Out of the Shadows*, as an extraordinary document" and a once-in-a-generation opportunity to reform the mental health system But he also provided delegates with a sobering reminder

In 1963 the Canadian Mental Health Association produced its own exhaustive study *More For The Mind*, which contained 64 recommendations for reform (compared to 118 in *Out of The Shadows*) The earlier report noted Dr Goldbloom documented the stigma surrounding mental illness, including the still salient observation that many people view the condition as "a sign of moral weakness or poor character" It went on to call for a mental health system that was community-based, comprehensive, integrated with other medical services and of a high standard Most of the recommendations were never implemented

Dr Goldbloom's address on the final day of the Showcase conference ended with a plea that history not be allowed to repeat itself He urged delegates—and for that matter, everyone concerned with mental health care in Canada—to do their part to make sure the Kirby committee s blueprint for reform is acted upon "It behooves each of us" said Dr Goldbloom "to at least look at the recommendations and say, Which one of these could I do something about? How can I in a small way working in my community and with my colleagues make a difference on this larger stage? There s lots of room for everybody on this bus"

It's time to get onboard

Greenspan's the go-to guy when the rich and famous fall afoul of the law, his clienr roster has included Garth Drabinsky and Karlheinz Schreiber and, currently, boasts Dr. Roger Perrault, the former Red Cross direcror charged in rhe tainred blood scandal, and Anthony Ianiero, the son of rhe Woodbridge, Ont , couple slain in Mexico last year He's a legal mercenary, willing to defend any one, no matter how reviled In his 1987 mem oir *Greenspan. The Case for the Defence*, the lawyer who once said he'd represent Holocausr denier Ernst Zundel writes "A lawyer like me only defends clients Clients, and not crimes (or hate or lies) Lawyers like me go to court for one reason only, and that is to get the best resulr for a cheur."

Among colleagues, Greenspan is known for his painstaking preparanon "A lot of lawyers who experience success think they're winning cases because of rheir sheer intellect," says Toronto criminal defence lawyer Frank Addario "They stop doing the work and they just become big huffers and puffers and they say, 'You should jusr believe me because I'm me' Eddie never fell into that trap"

Of the lawyer's role in the courtroom, Greenspan has said, "You are the choreographer, the director." Jurors connecr to his candid, droll manner When defending Kelhe Everts, an exotic dancer accused of indecency who said she got her instruction to strip from the Almighty, Greenspan asked the court "What if God really did talk to her? Do you really wanr to gamble she's not relling the truth?" Everts was acquitted He's finely attuned to details that can distract or alienate jurors "I've never worn a watch in a courtroom in my life," he says "I don't wear rings When I started out and no one had heard of me I didn'r wanr anybody to know anything about me I wanted it to be neutral" He has avoided getting a suntan for the same reason Like an athlete or an actor, he's superstitious and ritualistic. "I will not clean my robes ever during a trial," he says. "I mean I wear a differenr shirt every day but I will wear the same [shirt] tabs" He wears the same pair of cufflinks his assistant gave him years ago "One day I wore them and I won a case, And I think it's because of those damn cufflinks"





GREENSPAN has acted for Gerald Regan (top) and Garth Drabinsky (left). Genson (above) is a veteran of Chicago courtrooms.

PETER FARSONS/CP KEVIN FRAYER/CP GREG FIGHT/AP

Black hired Greenspan as his legal adviser in November 2003, after stepping down as CEO of Hollinger International when the company reported US$32 million in unauthorized payments to executives The two gu way back, having first crossed paths in 1965 when both were first-year law studenrs at Osgoode Hall. (Black dropped out in his firsr year, later to earn a law degree at Laval.) Greenspan's close friendship with Barbara Amiel dates back to rhe mid '70s When criminal charges were laid in 2005 in Chicago, Greenspan recommended his friend Eddie Genson join the team. He met Genson in 1998 when his daughter Julianna took a job at Genson's firm after graduating from Northwestern law school Black is comfortable with rhe choice "We wanted a tough, canny Chicago counsel who knows all of the tricks of the courthouse and he certainly lives up to that," he says

Indeed, the 65-year old roly-poly bearded attorney is a Chicago legend Raised on the tough wesr side, he began his legal education as a boy trailing his bail bondsman father through the Chicago courts, encountering characters named Fat Charlie Cohen and Short Pencil Romanoff After graduating from Northwestern in 1965, Genson builr his practice by taking on close to 100 cases a year, often charging little. Like Greenspan, Genson's nor finicky about who he represents His avowed dislike of sexual misconduct cases ("I jusr don't like to be in a case where I have to cross examine a woman victim I feel bad for them," he once said) didn't prevenr him from representing former congressman Mel Reynolds, who was convicted in 1995 of having sexual relations with an underage cam paign volunteer. Currently, he is representing R&B singer R. Kelly on child pornography charges One of his most spectacular trials was in 1998 when he defended Frank Caruso, Jr., a white teenager accused of attempted murder in the savage beating of a 13-year old black boy The case polarized the city In his closing argument, Genson filled the courtroom with distraught, tearful Caruso relatives His client was acquitted of attempted murder, convicted of aggravated battery and sentenced to eight years Later Genson said the outcome was the one he expected

Genson's practice has profited from Chicago's buoyant supply of indicted politicians After he won a not-guilty verdict for former stare representative Miguel Santiago on corruption charges in 1998, a Santiago friend sent him a thank you letter that read in part, "Eddie, you are truly a magician." It hangs framed on his office for prospeenve clients to see. His experience defending "white-collar" cases involving the kind of sophisticated financial dealings that characterize the Black case, however, is limited Of defending Black he has joked "He's my first lord."

In the courtroom, Genson adopts an air of vague disorganization that colleagues say camouflages the wiles of a shrewd tactician "He's a very personable guy who relates well to the jury," says Joseph A Power, Jr , a Chicago lawyer "His reputation is of a straight shooter There's no pomposity about him



says money wasn't a factor. "It wasn't that I didn't have the means to pay," he says. He wanted Greenspan "because he was passionately committed to the case and knew me well and knew what kind of outrage it was." Of Greespan and Genson he says: "I think it's a dynamite combination."

Greenspan's appearance in Chicago federal court before Judge Amy St. Eve is his second foray into the U.S. judicial system. In 1973, he was retained by a Sault Ste. Marie, Ont., native charged with arson after his Michigan cottage burned down. He recalls attending the opening day of trial in Traverse City, Mich. "It was the

is provided, whereas disclosure rules in the U.S. allow for constant surprises. Black was charged in November 2005, but his lawyers only received the basic statements of the proposed witnesses in mid-January, Greenspan says. The fact that new witnesses can be called throughout the trial can also create havoc. "If you said to the judge, 'I'm just finding out Thursday that on Monday David Radler's going to testify,' and the judge says, 'Yeah? What's your problem?' 'The problem is that I need a month to prepare for this!' Too bad. You don't get the time, you don't get the adjournment. Efficiency seems to be a fairly important goal in their system."

The different pace has required adjustment

BLACK PROFESSES FULL CONFIDENCE IN HIS DEFENCE TEAM. 'IT'S A DYNAMITE COMBINATION.'

His style is relaxed, very down to earth; he has a great sense of humour."

Genson's flamboyant courtroom presence is heightened by his dystonia, a neuromuscular condition that forces him to walk as if he has a severe hip injury. He arrives at court in a scooter and uses a cane which, legend has it, he once thwacked on a courtroom table for dramatic effect. When cross-examining witnesses, he often sits atop a stool, sometimes lugged across the court by co-counsel. "You watch him and are captivated," says Julianna Greenspan, who returned to Canada to work with her father in 2003, and who is part of the Black defence team. Genson's disability evokes jurors' sympathy, she says. "They see this incredibly effective lawyer and look at what he's overcoming as he does his incredibly impressive cross-examination. They listen to him more." Black calls Genson a "swashbuckling Damon Runyon figure."

Greenspan and Genson hit it off when they met over dinner in Chicago. "Our characters are not all that different," Greenspan says. Indeed, the similarities between the two Eddies are eerie: the same initials, both have wives named Susan, both are known for their shrewd, salt of the-earth style, both have won big and lost big. Both also charge top dollar, though far less than the high-profile American lawyers who asked astronomical sums—upwards of US$20 million—to represent Black. "American legal fees are astounding—breathtaking," says Greenspan, always mindful of his client. "And as things got tougher civilly for him, and as he was being denied access to funds—Ravelston goes into receivership, and Hollinger, he's out, things are happening in terms of his Park Avenue home—he had to rethink his position about who should be heading up the criminal defence team." Rumours in legal circles have Greenspan and Genson billing $3 million each, a figure Greenspan refuses to confirm for the record. Black



DOMINICK DUNNE (above) is no fan of Greenspan; Genson's disability can evoke sympathy

same courtroom that they used in *Anatomy of a Murder* so I was calling it the Anatomy of an Arson. I was all excited about it. I went to court and I was interviewed on the door step of the court by the local television reporter who asked me whether it was the first time a Canadian had come to Michigan. I modestly said, 'I think so, but I don't know.' So I went into court and waited for the client, waited for the client, and he didn't come, he didn't come. I called him in Sault Ste. Marie and said, 'Where are you? The trial is starting today!' He said, 'I'm not coming.' So I snuck out the back of the courtroom and went back to Canada."

Upon closer inspection, Greenspan says, the U.S. system varies dramatically from Canada's. "I'm playing by a totally different set of rules." Oral argument, a hallmark of the Canadian system, has less place in the U.S., a system driven by written submissions over which the judge decides. Canadian courts are more formal. Longer preparation time

'My father has grown accustomed to sit down and pay attention to all aspects of the law and all aspects of the facts and savour everything so he can present a formal presentation in the courtroom. That doesn't happen in the U.S.," says Julianna Greenspan. "People say the U.S. system is much more 'cowboy,' and it is. They feel they don't have the time to do due process. They're rushing all the time constantly." Eddie Greenspan complains about the tsunami of paper. "There's millions of documents and there's no cataloguing of it, we have to work our way through it," he says. "Here it's more orderly and it's more systematic."

Greenspan, who has been given dispensation to appear by the Illinois bar, calls his working relationship with Genson "a shared project." He will act as lead counsel. The pace of the trial, which is expected to run four months, is such that there could be four or five potentially important witnesses in a day. Both lawyers will cross-examine and be part

ANDREW H. WALKER/GETTY; BRIAN KERSEY/AP

MANUEL BALCE CENETA/AP

of arguments and examinations as a team. Radler will be Greenspan's to interrogate. As cross-examinations go, it's as eagerly awaited as Michael Jackson's. Greenspan is known to use any means necessary, within the law, to discredit witnesses, even dredging up seemingly unrelated evidence. At the Regan trial, he undermined one female accuser's testimony by introducing an old school document she had forged. "I'm pretty relentless in terms of making sure I've exhausted the issues that matter," he says. "I may not be happy enough when I get the answer I'm looking for, I may keep going in order to make sure I have shown—even though they may not say it—that they're genuinely liars."

Already the critics are circling. *Vanity Fair* columnist Dominick Dunne, for one, is not a Greenspan fan. The lawyer pilloried the writer's influence in a documentary about Dunne, a criticism that reveals Greenspan's sensitivity to the power of the media in judicial outcome. "He spoke so terribly about me, in a sneering and mocking manner," Dunne says. 'I not only have never met him, I had never heard of him or seen him before. I don't know why he was so vile about me." Dunne plans to drop in on the trial if only for revenge. "The main reason is so I can write something terrible about him. I really hope he's a public flop and Conrad has to fire him. Conrad's fired a lot of lawyers. The mick in me always wants to get even." Greenspan laughs when he hears this. "Tell him I'll read anything he writes about me—good or bad—and love it." In 1999, Amiel wrote of Greenspan's need for the limelight in *Maclean's*. "His Achilles heel is his hunger for what society offers—the applause the Yiddish call *naches*."

In this regard, ironically, Greenspan is like his client, whose public condemnation of the prosecution and U.S. judicial system sets him up for harsher sentencing should he be convicted. "If he's found guilty on even one count, it'll be a bloodbath," predicts one lawyer. "He'll be seen as an unrepentant fraudsman. Eddie can't control that." Greenspan says his friendship with the Blacks doesn't add more pressure than he customarily feels defending a client. "I don't feel differently about this case," he says. After a pause, he amends the statement, the burden in the Black case is far higher, he says. "The consequences of the result are so enormous in this case over other cases in Canada where we do not have remotely the kind of harsh system of punishment. Avoiding punishment at all costs is what I'm asked to do in every case and try to do in every case, but in this case it's far more acute." The message is clear: as he provides theatre for so many, Greenspan will be trying the case of his life. M

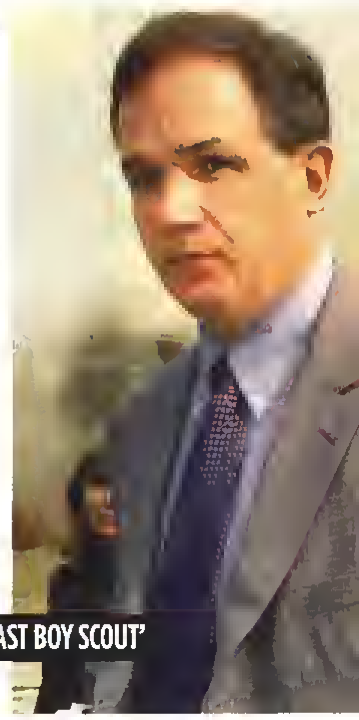
THE PROSECUTION

PATRICK FITZGERALD BUILT HIS CAREER ON AN OBSESSIVE, FEARLESS PURSUIT OF POWERFUL FOES • BY CHARLIE GILLIS

One of the most illuminating stories about Patrick Fitzgerald involves neither mobsters nor terrorists nor white collar malefactors, but a forlorn cat he once kept in his Brooklyn apartment. As a workaholic prosecutor in New York City back in the 1980s, Fitzgerald spent long hours preparing cases against terrorists and gangsters, often sleeping at the office while the cat pined away at his spartan flat across the East River. Colleagues implored him on the animal's behalf—was love and a bit of food too much to give? But their pleas fell on deaf ears.

So they settled on methods a mob-buster would understand: someone in the office abducted the cat, and began sending its owner photos of it in a variety of harrowing circumstances—dangling from the Brooklyn Bridge, or with a toy gun to its head. After a few frightening snapshots, the message finally got through. Fitzgerald found the cat a home on a farm.

If there's meaning in this anecdote for Conrad Black, it is that he can expect less consideration than the cat. "Prosecutor's prosecutor" is a phrase that arises time and again in conversations about the man who signed



FITZGERALD 'REALLY IS THE LAST BOY SCOUT'

the Black indictments, usually to describe his obsessive work habits, but often to capture his fervid sense of mission. And while the 46-year-old's personal circumstances have improved—he now lives in a posh house in downtown Chicago and reportedly has a serious girlfriend for the first time—his tireless pursuit of his unlucky targets has not. "I remember getting an email from him at four in the morning," says William Mateja, who worked alongside Fitzgerald for several years and helped prepare the brief against Black. "You don't see that from many U.S. attorneys."

Nor has success diverted him from a vocation that he seems to treat as a calling. Fitzgerald fits into a long tradition of white-stetsoned American lawmen whose reputations outgrew their offices, from Eliot Ness to Eliot Spitzer. But he also regards prosecuting as an end unto itself, and any suspect holding out hope that Fitzgerald will answer the siren call of politics, or take the big money from some private sector firm, will likely be disappointed, says Mateja. "This is a man who really seems to enjoy what he's doing."

The son of a Manhattan doorman, Fitzgerald showed an early flair for the state's side of a criminal proceeding. After attending Harvard Law School, he honed his skills co-prosecuting drug traffickers and gangsters like John Gotti, the so-called "Dapper Don" who in the 1980s headed New York's infamous Gambino crime family. In 1994, he led his own successful case against Sheik Omar Abdel Rahman and 11 others in the 1993 World Trade Center bombing, an accomplishment

that led to his appointment as chief counsel on prosecutions stemming from the 1998 bombings of the U S embassies in Kenya and Tanzania

These cases, along with Fitzgerald's renowned work ethic, effectively cast him as a sort of prosecutorial fireman—a man you could throw at the toughest, most politically fraught cases with a reasonable hope of success. So when Republican Senator Peter Fitz



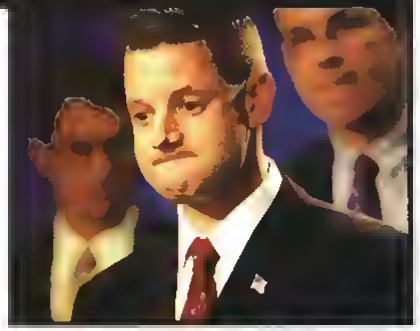
CRITICS CALL FITZGERALD A GLORY HOUND, BUT HE GETS CONVICTIONS

gerald (no relation) went looking for someone to tackle a rising epidemic of graft and political corruption in his home state, he found his candidate in, of all places, Manhattan Patrick Fitzgerald was confirmed as assistant U S attorney for the Northern District of Illinois in the fall of 2001, and wasted no time getting to work. Using plea bargains to turn progressively more powerful witnesses to state's evidence, he eventually exposed a web of bribery and political gift giving through out the state that led to the office of then governor George Ryan. The investigation produced more than 60 conspiracy, fraud and racketeering charges, including 18 counts that stuck on Ryan himself, who was sentenced last September to 6½ years in prison.

The Black prosecution is another opportunity to demonstrate his skills on the legal issue du jour. In the wake of the corporate fraud debacles at Enron and WorldCom, the Bush administration assembled a task force to crack down on white collar crime, and Fitzgerald was on it. The scandal surrounding Black's Chicago-based company wasn't the only one to surface in their territory, recalls Robert Kent, a prosecutor who headed up the Black case until he left for a private firm last September. But the tens of millions of dollars at stake—not to mention the mimitable character of Black—made it unique. "It was certainly the first case I'd ever had where the defendant was a member of the House of Lords," he says.

Their task was made easier by a detailed investigation commissioned by Hollinger International's board of directors, which formed a kind of road map of main allegations against the newspaper magnate and his associates. Working from those findings, Fitzgerald and Kent employed his time-tested method of rolling major players in the alleged scheme, the most important of whom is Black's long time business partner, David Radler. The fate of the case against Black hangs largely on the nature and quality of Radler's testimony.

In the meantime, the proceedings have provided glimpses of Fitzgerald's less savoury tendencies—not least his propensity to hog the limelight at the expense of loyal and equally dedicated underlings. Fitzgerald, in fact, will not be the one leading evidence at Black's trial, that will fall to a 37 year old prosecutor named Eric Sussman, who is best-known in Chicago for prosecuting a local meat-packing company that allowed rats to feast on products in a warehouse two years ago. Sussman has mostly taken a back seat to his boss on the Black case, occupying the background at news conferences and leaving the verbal roundhouses to Fitzgerald. But Kent describes him as a talented lawyer and notes that he has spent a lot more more time on the case than Fitzgerald. "He's a very highly regarded, experienced trial attorney and I would say he's very good in court," he says. "The fact [Fitzgerald's] name is typewritten on the pleadings shouldn't lead people in Canada to think he's working on the case day to day." (Neither Sussman nor the three other lawyers on the Black prosecution team were doing pre-trial interviews.)



WHILE Fitzgerald is focused on the trial of Scooter Libby (left), Black's case will fall to Eric Sussman, 37 (above)

MARK WILSON/GETTY IMAGES; CHRIS WALKER/CHICAGO TRIBUNE

Then there's Fitzgerald's enthusiasm for tarring a suspect's reputation before he ever sees a courtroom—a strategy Black's lawyers have protested bitterly. When he announced the charges against Black in November 2005, Fitzgerald finger-wagged so confidently a casual observer might have thought the newspaper magnate was already wearing prison oranges. Black and his associates "made it their job to steal and conceal," Fitzgerald said, adding "Officers and directors of publicly traded companies who steer shareholders' money into their pockets should not be to the board of directors to get permission to do so."

Other critics question Fitzgerald's decision to charge Black under racketeering laws intended for mobsters—a move that seems intended for public rather than court consumption. "I'm convinced the government charges [under racketeering legislation] if, for no other reason, than to taint the jury pool," says Douglas McNabb, a criminal defence attorney based in Washington who has followed Fitzgerald's prosecutions. "They want to suggest that this is a gangster sitting here at the defence table."

The good news for Black—if there is any—is that the most feared prosecutor in America won't be in the courtroom when Judge Amy St. Eve opens proceedings this month. So quickly had Fitzgerald's star risen in the wake of the Rahman and Ryan prosecutions that in December 2003, the White House appointed him special counsel in the investigation of the Valerie Plame affair—a case that has captivated the national press corps and will surely eclipse the trial in Chicago. While Sussman and his team are laying out the case against Black, Fitzgerald will carry on what has proven a difficult prosecution of Lewis "Scooter" Libby, the former chief of staff of U S Vice President Dick Cheney who is accused of outing Plame as a CIA operative. (In an all too familiar pattern for veteran prosecutors, witness after witness at the trial has suffered bouts of memory loss on the stand.)

That might not sound like much of a silver lining. But from Black's point of view, the man's absence may be nothing short of a godsend. Fitzgerald has earned iconic status in the Windy City, where his reputation is as familiar as the sight of his angular form jogging on the footpath along Lake Michigan in the early morning. Jay Stewart, a Chicago-based anti-corruption activist, believes Fitzgerald speaks to Chicagoans' faith that someone in public life cannot be bought. "He really is the last Boy Scout." That's not to say a jury of 12 citizens would be incapable of hearing the case for the defence on its own merits. But the believability factor looms large in United States vs. Black, and in a contest of credibility, six years of good deeds is awfully hard to top. M

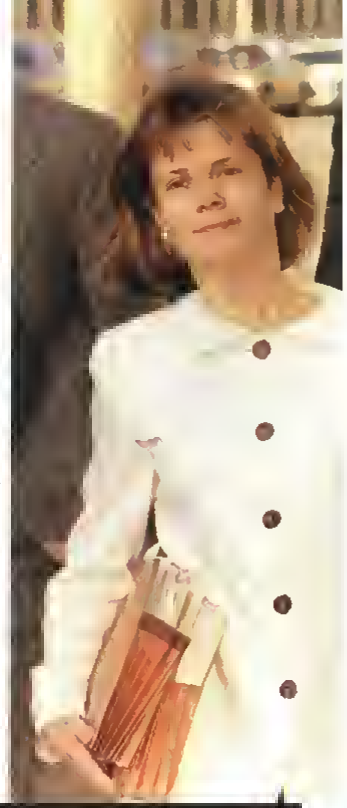


THE JUDGE

AMY ST. EVE: A BRILLIANT LEGAL MIND, A NO-NONSENSE ATTITUDE, AND PUNCTUAL TOO • BY JONATHON GATEHOUSE

Anyone who wants to put one over on Judge Amy St. Eve should be prepared to get up pretty early in the morning—sometime before the 5 a.m. alarm signals the beginning of her highly regimented day. By 6:15, it's probably too late—she's already at work in her chambers. And once the day's proceedings start (precisely at 9, if not a few minutes before), there won't be any time. Things move at a famously brisk clip in the 41-year-old's Chicago courtroom. The five-foot-tall, Diet Coke-addicted "fistful of dynamite" doesn't welcome windy submissions and circuitous legal arguments. There's a daily run along Lake Michigan to be slotted into the schedule. And this judge expects to be home in the suburbs by 5 p.m., cooking dinner for her radiologist husband and three young children.

"My advice to anybody appearing before Amy is: always be prepared. Know your case. Do your homework," says Judge Charles Kocoras, a colleague on northern Illinois's U.S. District Court. "And don't lose your cool."



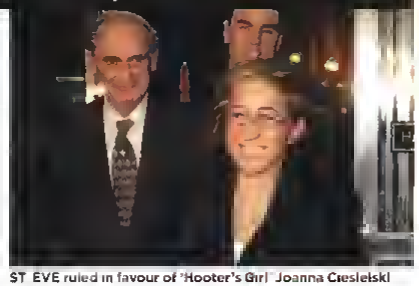
'ADVICE TO THOSE APPEARING BEFORE HER: KNOW YOUR CASE, AND DON'T LOSE YOUR COOL'

Judge St. Eve is a stickler for courtroom decorum—she has already cautioned both sides in the Conrad Black case to stop their backbiting and tone down the "over the top" pleadings. But it is her quick mind (along with her fanatical punctuality) that most prosecutors and defence attorneys have come to respect. "She listens to arguments, knows when she's heard enough, then decides and doesn't look back," says Kocoras, until recently the circuit's chief judge. "And that's what you need in this business."

Indeed, self-doubt doesn't appear to be one of St. Eve's problems. If she has ever failed at anything in her life it's not apparent. Growing up in downstate Belleville, Ill., just outside St. Louis (St. Eve is an inveterate Cardinals fan), the dentist's daughter made the cheerleading squad, headed up the student council and was named class valedictorian. At Cornell, she finished her undergraduate history degree with "academic distinction in all subjects." She spent one summer studying at Oxford, and another interning on Capitol Hill. At Cornell Law School she edited the *Law Review* and made the Order of the Coif, a national society for the top 10 per cent of law students.

The Black case won't even rate as the biggest media circus of her still-young career. In 1994, after four years of working for a big New York firm, St. Eve joined Ken Starr's Whitewater investigation, working as an associate independent counsel in Little Rock, Ark. Although she left the office in mid-1996—before Whitewater became more about cigars and blue dresses than corruption—St. Eve did help secure fraud convictions against three of Bill Clinton's friends: Jim Guy Tucker, and Jim and Susan McDougal. Starr, now the dean of Pepperdine University Law School in Malibu, Calif., declined a request for an interview. But in 2003, he told the *Chicago Tribune Magazine* that St. Eve was a "superb lawyer, wise beyond her years" who would "lead and guide lawyers more senior than herself, including yours truly." More importantly, said the former prosecutor, "the jury in Little Rock adored her, and they trusted her." (Starr should know. In 1999, St. Eve returned to Little Rock to testify for him after Susan McDougal alleged that his office had pressured her to tell lies about Bill and Hillary Clinton. The jury didn't buy McDougal's story.)

After Whitewater, St. Eve took a job in Chicago as an assistant U.S. attorney, spending more than four years prosecuting everything from murders to state government scandals. "She's very smart, highly organized and very prolific," says Scott Lassar, then her boss, now a partner at a prominent Chicago firm. "She was a superstar."



ST. EVE ruled in favour of "Hooter's Girl" Joanna Cieslelski

DANNY JOHNSTON/AP; TERRENCE ANTONIO JAMES/AP

Others share that opinion. In the spring of 2001, St. Eve left the U.S. attorney's office to take a high-profile gig as a corporate litigator for pharma giant Abbott Laboratories. Less than a year later, at the tender age of 36, she was appointed to the federal bench. Peter G. Fitzgerald, the U.S. senator who picked both St. Eve and Patrick Fitzgerald, the prosecutor in the Black case, for their jobs, recalls that her application just "leapt out" from the pile. (Black's prosecutor became U.S. attorney six months after St. Eve's departure from the office.) In a formal job interview at the dining room table of his Chicago home, St. Eve was even more impressive, says Fitzgerald, who returned to private life in 2005. "She knocked the ball out of the park. Very articulate, very quick, very impressive." At her confirmation hearing in April 2002, St. Eve sent a even clearer message that she was a gamer—carting along her then six-week-old son, Brett, to Capitol Hill. She sailed through with the blessings of both parties.

Just five years on, there is already speculation that Judge St. Eve may be on track to bigger and better things—a seat on the Court of Appeals, or perhaps, someday, the U.S. Supreme Court. She has become a familiar figure in the national press, presiding over a number of high-profile cases. In 2005, she ruled in favour of a "Hooter's Girl" who claimed sexual harassment by managers and co-workers who commented on her breasts and asked her out, upholding a jury's $250,000 damages award. There's the ongoing saga of Antoin "Tony" Rezko, a pizza mogul and Democratic fundraiser who is facing charges of soliciting kickbacks and campaign donations from companies bidding on state contracts. There were also the cases of Mohammed Salah and Abdel-Haleem Ashqar, two Palestinian activists facing charges of funnelling money to Hamas. Judge St. Eve raised the ire of Muslim groups when she admitted an allegedly coerced confession, which Salah gave while in Israeli custody in 1993, into evidence. The pair were recently acquitted of terrorism and racketeering charges, but found guilty of obstruction. (It's hard to say if it's a good omen for Conrad Black, but Fitzgerald was the prosecutor on that file, too.)

Despite all the recent publicity, Judge St. Eve remains something of a closed book. Her Whitewater past has led to some speculation she has a conservative bias, and there have been rumblings that she is "pro-prosecution." (Her father once told a newspaper that she never wanted to be a defence attorney "because you have to lie too much.") But finding a theme in her rulings is difficult. Whatever strategy Conrad Black chooses to employ, this much is clear: he better be on time. M



BILL CLINTON was among St. Eve's targets

J. SCOTT APPLEWHITE/AP

THE JURY

LOOKING FOR 12 FAIR AMERICANS WITH A HEALTHY SKEPTICISM OF THE GOVERNMENT • BY JOHN INTINI

Conrad Black's peers used to include Margaret Thatcher, Henry Kissinger and the other members of Britain's House of Lords. Now, the only peers that matter are the 12 Americans who will soon hold his fate in their hands. Picking the right group will mean the difference between sweet vindication and the possibility of life behind bars for the former press baron.

Jury selection has already begun with the distribution of a 37-page questionnaire—78 questions agreed upon by the judge and the two parties—to about 100 potential jurors drawn from all walks of life in the Chicago area. Both sides in the case will comb the responses for bias and formulate additional questions for when the candidates are paraded through room 1241 of northern Illinois's U.S. District Court for final examination and selection, starting March 14. Lawyers can get potential jurors thrown out for cause or by using peremptory challenges—each side can reject a certain number (defence 10, prosecution six) without a reason.

Although it's strictly confidential, experts say the survey likely includes questions relating to one's views of the accused—from name recognition to what they already know of Black—whether their opinions have been shaped by pretrial publicity, and questions meant to reveal any latent bias against big business.

Black's lawyer Edward Greenspan says that bias is "really where, for me, it begins and ends." That includes corporate and class bias. And it appears, from some of the questions his team submitted for possible inclusion in the jury survey, that concerns about anti-Canadianism are also an issue.

In a perfect world, the defence would stack the jury box with corporate executives since "there's the possibility Black's business dealings will be somewhat consistent with their own—whether legal or not," says Alan Young, a criminal lawyer and professor at York University's Osgoode Hall Law School. That being impossible, Young recommends the defence avoid blue-collar workers stuck in low-paying, dead-end jobs. "If I was a hotel chambermaid and saw Lord Black walk into court, my inclination would be, 'let's screw this guy.'"

While it may be easier to confuse a less-educated jury with complicated business matters, thus creating reasonable doubt, that tactic can backfire. "Someone who resents millionaires and billionaires is not going to resolve their confusion in favour of the accused," says Young. "They're going to assume that where there's smoke there's fire, and maybe they don't understand completely what went on, but it had to be shady business." In many white-collar cases the government favours a jury with "multiracial people who are not in the higher echelons of business," says Daniel Horowitz, a criminal defence lawyer in Oakland, Calif.

Samuel H. Solomon, the chairman and CEO of DOAR Litigation Consulting in Lynbrook, N.Y., says that prosecutors want "captain-of-the-ship type jurors"—those who feel executives are responsible for whatever happens on their watch. The prosecution is more apt to approve teachers, police officers and military personnel because they typically support hierarchy and chain of command. Anyone who thinks the government is overly intrusive is more likely to acquit and therefore dangerous to the prosecution.

The defence, says Solomon, wants jurors who "look at things in terms of shades and nuance." Writers, artists and those involved in the soft sciences have a more relativistic world view, which is preferable to the defence in cases like Black's. But he warns against getting too caught up in demographics. "The only way to really know how a juror is leaning is to get answers to value and belief questions," says Solomon, who provided jury analysis in the WorldCom civil case that was settled in 2005. "That's what really drives decision-making. If I was on the defence, I'd ask about people's view about chain of command, their views about people in positions of authority and something about circumstantial evidence—how they deal with alternative explanations to the same issue."

Solomon considers Chicago to be a terrific venue for the defence. "In general, Midwesterners are fair-minded and not as easily stirred up to anger and resentment," he says. "If you have a story, they're going to hear you out." M

With Anne Kingston

THE STOOL PIGEON

DAVID RADLER PREACHED DISCIPLINE AND LOYALTY, RIGHT UP UNTIL HE BETRAYED HIS PARTNER • BY KEN MACQUEEN



RADLER WAS THE MONEY MAN AND THE MECHANIC BEHIND HOLLINGER

David Radler—a cynic by reputation, a pessimist by inclination and a homebody by nature—was rarely given to public displays of self aggrandizement. Social climbing and chest thumping oratory were the purview of his business partner Conrad Black—traits Radler had come to view with annoyance as their symbiotic partnership of more than three decades became increasingly strained. But the night of Oct. 6, 2002, was a rare and glorious exception. Radler, the publisher of the *Chicago Sun-Times*, the *Jerusalem Post* and co-founder and chief operating officer of the increasingly creaky Hollinger International empire, was taking a public turn in the spotlight of Chicago's high society. He was the guest of honour at a tribute dinner staged at the Chicago Hilton for Israel's Weizmann Institute of Science.

Radler leaves little to chance and this night was no exception. He may well have earned the accolade merely on the basis of his papers' ferocious editorial support of the Israeli right in general and its "war on terror" in particular. But the honour was all but guaranteed by his endowment that year of the Rona and F. David Radler/Sun-Times Scholarship for Biomedical Research at the Weizmann Institute. Including the *Sun-Times* in the scholarship was no empty gesture—the money was taken from the newspaper's charitable trust, which was chaired by his wife, Rona, at a salary of US$126,000. Some would grumble, "why was a fund for Chicago's needy enriching his wife, and financing biomedical research in Israel?" But soon that would be the least of his problems.

More than 1,700 people packed the ballroom that evening. William Daley, the brother of Chicago Mayor Richard Daley, chaired the gala. Civil rights champion Jesse Jackson was there. So was Donald Trump, who would soon strike a deal with Radler to buy and raze the decrepit *Sun-Times* building.

Drafts of Radler's speech passed through the hands of *Sun-Times* editor in chief Michael Cooke and John Cruickshank, then its vice-president of editorial, and now its publisher. He ignored advice to leaven its tone with humour and emotion, attributes foreign to his public persona. Instead, he launched a no prisoners attack on the despotic Arab states that threaten Israel, on the feckless left, and on media, such as the rival *Chicago Tribune*, which find "moral equivalence between soldiers who protect the innocent and suicide bombers who murder them."

The night was a huge success. Trump was lavish in his praise of Radler's integrity. "When David says something, you can bank on it," he told the crowd. "His word is his bond." Radler earned an ovation, ending his speech with a promise that the *Sun-Times*'s support for Israel "is a legacy that will never change."

The morass of the Middle East is about the only thing that hasn't changed in Radler's world since that night. By November 2003, Black and Radler resigned their executive positions with Hollinger International under allegations of corruption and self-dealing. The circulation figures for the *Sun-Times* were found to be inflated during Radler's watch, a blow to the paper's credibility. Even Roger Ebert, the paper's marquee movie columnist, took a shot at Radler, writing of cost cutting that went so deep the paper's escalator was shut down to save maintenance costs. "Who would have thought such a penny-pincher might possibly be pinching millions for his own pocket?" Ebert wrote.

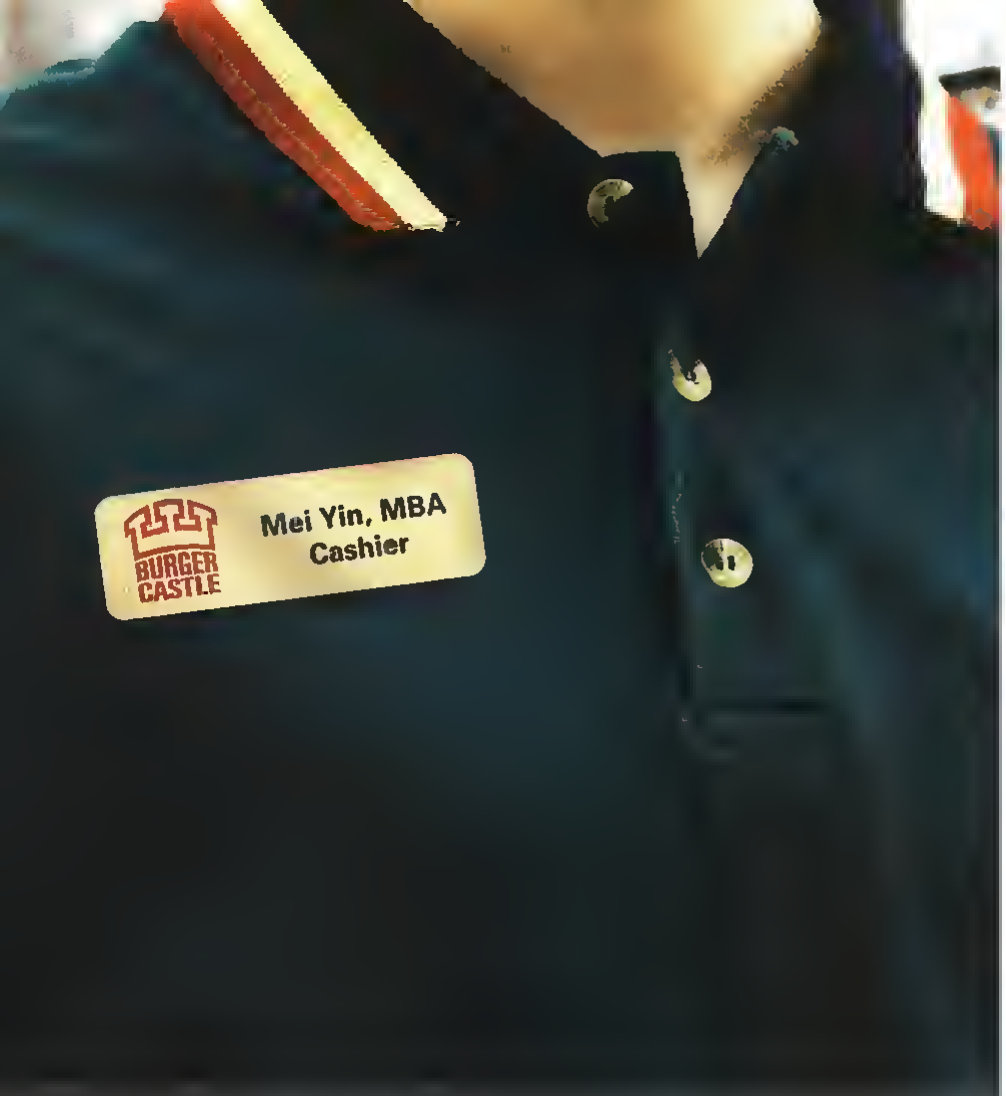
The Securities and Exchange Commission filed civil fraud charges in November 2004, claiming Black, Radler and others collected more than US$85 million in dubious payments. U.S. government prosecutors filed criminal fraud charges against Radler in August 2005, a pressure tactic that had the desired effect. Radler cut a deal in September 2005, pleading guilty to fraud. In exchange for testifying against his former partners and colleagues, he accepted a 29-month sentence and a US$250,000 fine. He'd already repaid some US$8 million in inappropriate non-compete payments. Still, the deal is a relative bargain considering millions in fines and 95 years in prison that Black potentially faces.

The prosecution chose well. If anyone can bring down Black it is Radler, the acerbic, driven business school graduate who teamed up with Black and colleague Peter White in 1969 to buy the Sherbrooke *Record*. Black and Radler shared, if little else, a deep regard for the United States and its institutions, an appreciation for the advantages of unfettered capitalism and a contempt for unions.

If Black was the visionary, Radler was the mechanic, capable of squeezing the last gasp

STEVE CARRERA/REUTERS





IF CANADA IS A LAND OF OPPORTUNITY,
WHY IS AN MBA SERVING FAST FOOD?
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of efficiency and profit from the fewest number of employees in a diverse range of enterprises newspapers, of course, but also grocery stores and tractor factories In his memoirs, Black fondly recalled a chain of small motels they purchased in B.C. "David spent his summer vacations driving between them, reducing staff almost until he would have to say, 'David and Rona welcome you to our Slumber Lodge.'" Radler phoned Black shortly after they bought the company "There is prima facie evidence our motels aren't doing well," Radler reported "The president of the company committed suicide yesterday"

No one who knows them described Black and Radler as close, though each saw a benefit in the other's strengths Radler worked from down-market offices in Vancouver, where he keeps his swank Marine Drive home, and took an apartment in Chicago Black worked from Toronto or London, using the flagship *Telegraph* to cut a swath through Britain's A list Radler got the *Jerusalem Post*, which he considered more of a cause than a business, and the *Sun-Times*, in a city with a gloriously free-wheeling business environment "The history of this city is the history of corrupt men," says Michael Miner, a media critic for the *Chicago Reader* "Business is done here in a different way maybe in a way that appealed to [Radler] more wide open and rakish He took full advantage of it"

Radler's plea bargain was a shock to many, Black most of all "I was surprised," Black says "He always protested that he handled everything with complete propriety I'm surprised he would do a 180 degree turn and admit he did a complete turn I found that quite startling" Miner always assumed "they knew too much about each other to ever break up" In retrospect, he concedes, Radler isn't the sort to honour any code of silence Nor can he see him taking the fall for Black, "this guy whose lifestyle he might always have envied and coveted and resented That was probably, from Radler's perspective, his money, too, that Black was throwing away" By then, any solidarity Radler held with Black was out the window Author Tom Bower, in his book *Conrad and Lady Black: Dancing on the Edge*, quotes Radler telling a colleague "He took the glory on the way up, he can take the shit on the way down"

Those who know Radler say there are many and complex reasons beyond the obvious why, at 64, he was desperate to avoid jail He does not handle stress well, despite his imperious veneer He is a bit of a hypochondriac One extravagance was regular checkups at the renowned Mayo Clinic And then there is his germ phobia Those out with Radler know one of their roles is to open all doors Who knows what filth is on the handles? Radler, in his "man of the people" mode, was notorious for holding odious hot dog lunches on the terrace outside his office for the *Sun-Time's* executive, says one insider Radler would sun himself, topping up his perma-tan, eyes closed like a basking reptile, but missing none of the conversation It usually fell to a lawyer among the group to shoo away any pigeons that attempted to alight Radler was deathly averse to pigeon droppings

What Radler can trade for a reduced sentence is just about everything His strength, and perhaps his weakness, is that he was the money man, the one who sold Hollinger's malleable audit committee on the dubious non-compete payments that landed them in the glue He was notorious for working with a minimal paper trail, in contrast to Black, who rarely has an unwritten thought In the end it will boil down to credibility Radler using acres of files to claim the improper payments were Black's initiative, Black stating that any illegalities were hatched by Radler—an admitted felon



HE PREFERRED TO BE LOW-PROFILE, LEAVING THE LIMELIGHT FOR BLACK



RADLER with Donald Trump (top) after selling the *Sun-Times* building, and with the Blacks

JOHN H. WHITE/AP; PETER BREGG/MACLEAN'S

Of the two, Black may generate greater sympathy "Nobody has any sympathy for Radler," Miner says "And I'm sure he knows that Somewhere he's got to care, and maybe that's why the worm turned at the end"

Radler was holding court with two colleagues at a Chicago restaurant in the heady days before the fall The subject was wealth, how do you get rich, he was asked Such a question might have sent Black off on a polysyllabic perambulanon through historic battlefields both corporate and military, but Radler is an altogether different cat He reached across the table, grabbed several packets of sugar and ketchup, and stuffed them in his suit pocket The key, he explained, is "financial discipline," recalls one of those at the table He can afford all the sugar and ketchup he wants, he told them, but his kitchen is filled with these purloined packets "Financial discipline" was a recurring theme under Radler, the executive recalls Loyalty, ironically enough, was another Loyalty, unquestioning and absolute, was hammered home "Loyalty, loyalty, loyalty"

Somewhere along the way discipline failed Radler The millions he has admitted to taking by fraud were impossible to explain away Who else falls with him depends on his next great public performance, in a Chicago courtroom He was caught with his hands in the sugar bowl, loyalty became another commodity to sell at the best available price M

THE WITNESSES

A GUIDE TO THE KEY CHARACTERS IN THE SAGA OF HOLLINGER INTERNATIONAL • BY CATHY GULLI



LOUIS LANZANO/AP, EVAN AGOSTINI/GETTY IMAGES, BRIAN JACKSON/SUN TIMES, MATTH AS RIETSCHEL/AP

THE DIRECTORS

When Conrad Black was removed from Hollinger International in late 2003, it was **Gordon Paris**, a company director and member of the special committee that investigated Black's spending and leadership, who became "interim" president and CEO. At the time, the New York City investment banker espoused the notion that litigation against Black marked a step towards returning to shareholders "the value that was inappropriately taken" from Hollinger. (Ironically, Paris resigned in 2006 amid criticism that he failed to improve the company, and was overpaid—in excess of US$9 million—during his tenure.) Paris may know more than any other board member about Hollinger's inner workings, and is expected to speak for the special committee in testimony, detailing the often nasty meetings that culminated in Black's removal.

James Thompson, the Republican from Illinois known as "Big Jim," was a long-standing member of Hollinger's audit, compensation and stock options committees during Black's reign. The state's longest-serving governor (14 years), he began his career as a lawyer, winning major corruption convictions against local and state politicians. Thompson, who was also a representative on the 9/11 commission, is expected to testify about the processes for awarding Black's compensation and approving his expenditures over his many years on the company's board.

Montreal-born economist **Marie-Josée Kravis** is a senior fellow at the Hudson Institute, a New York based think tank, and president of the Museum Of Modern Art in New York City. While she was a director of Hollinger and a member of its influential audit committee, Kravis and her husband (Wall Street financier Henry) were also social acquaintances of Black and Barbara Amiel. Her testimony is expected to explain Black's financial dealings as head of Hollinger, but may also delve into the couple's place in New York's high society.

Henry Kissinger, "the elder statesman" of American politics, epitomized the intellectual sophistication of Hollinger's board. The 1973 Nobel Prize winner served as U.S. secretary of state to Richard Nixon and Gerald Foed, and led the 9/11 commission. His consulting firm, Kissinger McLarty, advises companies around the world on investment opportunities and government relations. Kissinger was a confidant of Black's for more than two decades, and may testify about the nature of Hollinger board meetings, hopefully shedding light on whether the directors were fully briefed on Black's compensation, or if they were misled.

THE INSTIGATOR

When **Richard Breeden** was the head of the U.S. Securities and Exchange Commission from 1989 to 1993, his goal was reportedly to leave white-collar criminals "homeless, naked and without wheels." Now, as a corporate monitor of Hollinger and the main author of the Breeden report, the damning investigation that launched the case against Black, Breeden appears similarly relentless. He has already called the company a "corporate kleptocracy," and accused Black of using his power to run Hollinger for his own personal benefit. Breeden will likely be presented as a neutral investigator reporting his findings, but the defence may try to make the case that Breeden distorted facts to collect millions in fees from the Hollinger debacle.

THE CO-ACCUSED

Before they were the co-accused alongside Black, **Peter Atkinson**, **Mark Kipnis** and **John "Jack" Boultbee** were Hollinger executives and among Black's closest business advisers. Atkinson, a Canadian lawyer who worked at Aird & Berlis, was a Hollinger legal adviser and senior vice-president. Kipnis, a Chicago attorney, was the corporate counsel and secretary of Hollinger International, specializing in transaction law. Black's long-time tax man was Boultbee, a Toronto accountant, who served intermittently as executive vice president and chief financial officer at Hollinger. The Breeden report alleges that the three executives made money from improper non-compete payments they received, instead of Hollinger International and its shareholders. If any of the co-accused decide to take the stand, they are expected to present a united defence with Black, saying that they disclosed all the required information and were unaware of any impropriety.

THE REST OF THE CAST

Several others Hollinger insiders are expected to provide important testimony at the trial, including:

- Board members **Raymond Seitz** and **Richard Burt** (both former U.S. ambassadors) and Bush administration adviser **Richard Perle**, all of whom are expected to testify that the directors were misled by management.
- **Leonard Asper**, chief executive of CanWest Global Communications, who may offer insights regarding the non-compete payments paid out when Black sold most of the company's Canadian newspapers in 2000.
- **Paul Healey**, former head of investor relations for Hollinger, should comment on his many conversations with Black when shareholder complaints were escalating.
- Auditors for **KPMG** have agreed in an affidavit to testify for the prosecution that they were misled by Black and others. M

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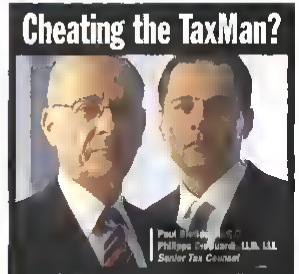
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THE LORD

THE REPACKAGING OF CONRAD BLACK: FROM LARGER-THAN-LIFE TO 'LIKEABLE BARON' • BY ANNE KINGSTON

Last September, in a bid to make their client more the average Joe to which a Chicago jury could relate, Conrad Black's lawyers filed a motion. They asked that the possessions and privileges Black had so ardently pursued throughout his life be stricken from the indictment for fear they would "evoke class prejudice." So, no mention of his lordship, of his many houses, of his New York apartment decorated in a "lavish fashion," of his "servants" and "chauffeur" or of the swish US$62,870 birthday party he threw for his wife at New York's La Grenouille. As they rightly pointed out, the "typical juror does not reside in more than one residence, employ servants or a chauffeur ...or host expensive parties." The judge said no.

Retooling Black for judgment by a jury of peers—one destined to be unlike the peers he used to hang out with—is a challenge. "Unfortunately, he's a tall man," says Jane Kelly, a defence team lawyer. "There's a sense of grandiose with him. His bushy eyebrows can make him look like he's scowling." Then there's his name. Conrad. "It's regal," she says. "It's a problem." But Kelly cites positives too. "There's no one you can make laugh easier, and he does the more you get to know him. He is personable, he does like people. I think when he's comfortable he will not be sneering. I think he's smart enough to know that. But smart people sometimes can't tolerate stupidity." Their strategy? "You can make him a likeable baron," she says.



'CONRAD WILL NOT BE GETTING OUT OF A ROLLS-ROYCE WHEN HE COMES TO COURT'

To this end, signs of conspicuous wealth will be erased. "Conrad will not be getting out of a Rolls when he comes to court," Kelly jokes. Off-the-rack will likely replace bespoke. Black says he hasn't thought about his wardrobe. "But it would be quite acceptable to wear a jacket and a pair of slacks," he muses. "Things are getting more casual."

As for demeanour, he has to smile occasionally, even if the joke is at his expense. "One of the big things that hurt in Enron, was Ken Lay's lack of a sense of humour," says Samuel H. Solomon, the head of DOAR Litigation Consulting in Lynbrook, N.Y. It's important to register emotion, says Daniel Horowitz, an Oakland, Calif., criminal defence lawyer. "If his life is on the line you're not going to stop him from emoting so you might look at the range of emotions and tell him which facial expressions don't work and which body expressions don't work. It's crazy to be impassive. Scott Peterson was impassive."

Whether Black will take the stand is ripe for speculation. Horowitz believes it's necessary. "Even if he messes up and gets caught in inconsistencies, a certain number of people are going to appreciate the courage it took." Black's lawyer Edward Greenspan says he has won a lot of cases without calling defendants to testify. "You do not make that decision until the end of the prosecution's case when you sit down and assess it all," he says. Black, who's vehement regarding his innocence, says he won't demand to take the stand. "But I have no hesitation doing it if it would be the tactically wise thing to do," he says.

Doing so poses risks. He'll have to navigate, for example, the inevitable interrogation about the possible business benefit of a holiday in Bora Bora using the company jet (at a cost of US$565,326, for which Hollinger paid half). If the prosecution possesses evidence the defence doesn't know about, he'll face questions he's not ready for. And, in U.S. courts, witnesses who are not credible receive tougher sentences if they're convicted.

Certainly credibility was a big problem when Black testified in a related civil proceeding in Delaware in 2004. In a scathing ruling, Judge Leo Strine called Black "evasive and unreliable." Kelly says that performance provided "a road map determining his ability in front of a jury." But it's a different landscape now, she says. "Should he testify you'll see a different Conrad Black." Yet Black regards Delaware as a triumph. "I know it's part of the conventional wisdom that I was not a successful witness, but that was a terribly mistaken judgment and I was generally congratulated for my performance."

Greenspan says no extraordinary measures have been taken to train Black. "You always prepare your client, but it's quite a myth to suggest that we have teams of acting coaches or that we've hired Norman Jewison." Yet Black poses unique challenges. "Conrad on the stand, speaking in his lordly voice, wonderfully dressed. I am imagining, could easily turn off a jury if he is too grand and superior," says *Vanity Fair* writer Dominick Dunne, a social acquaintance of the Blacks. His propensity for polysyllabic proclamations could alienate a jury, Greenspan says. "When I listen to him, sometimes I want to say, 'Pardon me, is there really such a word?'" Greenspan has made a bet with his client for every five-syllable word he uses he'll owe $5, four-syllable words $4 and three-syllable words $3. Brevity is also crucial, Greenspan says. "The rule is, 'Listen to the question and answer the question, and don't go beyond it.'"

In the end, there's no making a silk purse into a sow's ear. "You want to humanize your client but you can't turn your client into something he's not," Greenspan says. "If you try, they'll come across as either automatons or robotic or falsely animated. You've got to be very, very careful to make sure that the true character of the person comes out, because the courtroom exposes that." M

LUCAS OLENIUK/TORONTO STAR

THE LADY

THE BARBARA FACTOR: WHETHER SHE'S IN COURT OR NOT, LADY BLACK WILL BE A DISTRACTION • BY ANNE KINGSTON

The one safe wager to be made about the Conrad Black trial is that his wife won't show up toting a Hermès Birkin bag. Not that she doesn't have a supply from which to choose. When Barbara Amiel took *Vogue* on an expedition through her closets in 2002—an outing that prompted her infamous claim, "my extravagance knows no bounds"—she showed off more than a dozen versions of the bag that retails for $5,000 and up. But ever since Martha Stewart carried one to her insider-trading trial in 2004, eliciting a barrage of tsk tsking for flaunting her wealth, the Birkin has been a courtroom no no. Boasting one would be provocative. And that is the last thing Lady Black can now afford.

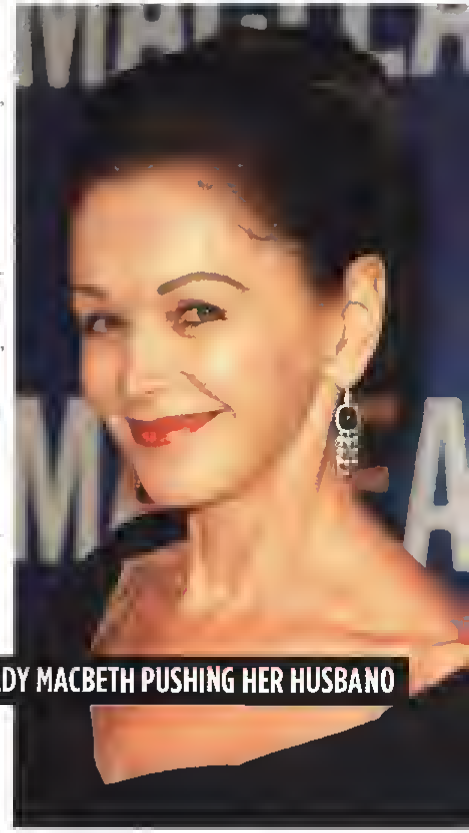
Amiel's shopping habits, along with her role as a director and board member of Hollinger, are fundamental underpinnings of the government's case against her husband. The prosecution plans to play them up, and the defence will try to minimize them. Amiel's spending will be introduced to buttress the government's allegation that the publicly held Hollinger International was the personal "Bank of Conrad Black." The jury will learn that Black's corporate expense reports included charges for $2,463 handbags and $140 for "jogging attire for Mrs. BB." The couple will be portrayed living large on Hollinger's dime—jaunting to Bora Bora on the corporate jet, billing the company $2,785 for opera tickets, celebrating Amiel's 60th birthday with a $62,870 party at a swish restaurant for which Hollinger paid two-thirds. Lady Black will be painted a couture clad Lady Macbeth whose craving for status and influence propelled her husband to overreach financially and drove him into the glamorous, costly world of celebrity and minor royalty.

Black's lawyers vigorously tried to keep Amiel's spending—and her—out of the proceedings. "Injecting Mrs. Black into the trial would be unnecessary to any real issue in this case and would result in a circus-like side show," they submitted. To do so "threatens the return of the verdict for the wrong reasons." Their concern is understandable. Juries may not grasp all of the numbing intricacies of non-compete agreements, but a beautiful, profligate, socially ambitious wife they get. Who recalls the details of financial larceny at Tyco? But who can forget the US$2.2-million Sardinian birthday party former CEO Dennis Kozlowski threw for his wife—half paid for by the company—featuring a vodka-peeing ice sculpture of Michelangelo's *David*?

The only thing more conspicuous than Amiel's presence at the trial, of course, would be her absence. Defence lawyers typically want a loving family in the courtroom to humanize the accused and make him sympathetic. "She has to show up every day," says Daniel Horowitz, an Oakland, Calif., attorney. "All she has to do is sit there and look at her husband with love." Black's lawyer Edward Greenspan says the Martha Stewart case is being used as a model, the defence will monitor the coverage of Amiel's clothing and facial expressions. "We'll test the waters and see if it's a distraction." That said, Greenspan doesn't rule out Amiel taking the stand in her husband's defence. (Spousal immunity protects her from being called by the prosecution.) Doing so, though, is a huge risk in that it could subject her to a hammering by the prosecution. It would also signal a desperate defence willing to court a "circus sideshow."

Amiel, a regular columnist for this magazine, won't speak publicly about the trial. Black contends his wife is up to the scrutiny. "She's a big girl," he says. He doesn't know whether or not she'll attend every day. "It's up to her, but I don't know if she wants to sit through all of the evidence. I'm sure she'll put in an appearance from time to time to show the flag." His elder son and daughter will be there, he volunteers. "They're coming out of solidarity, not out of any attempt to impress the jury that I have a family."

As for Amiel's courtroom garb, a trip to Talbot's isn't necessarily in order. "You can show money," says Horowitz. "Because if you don't, it looks like you're hiding it." It's a fine balance, says John Coffee, a securities law professor at Columbia University. "I don't say you want to make her invisible, but you'd want to make her less than the fashion plate." That, of course, presents the notoriously fashionable Amiel with a challenge. Dominick Dunne, a social acquaintance of the Blacks, has little doubt she'll pull it off. "I think she'll be a stalwart figure in the courtroom," he predicts, "elegantly dressed and dramatically loyal to her husband." M



SHE WILL BE PAINTED AS A COUTURE-CLAD LADY MACBETH PUSHING HER HUSBAND

GEORGE PIMENTEL, WIRE IMAGE.COM

IF HE WINS . . .

A NOT-GUILTY VERDICT WILL UNLEASH A FIRESTORM OF RETRIBUTION • BY JASON KIRBY

It's not just that Conrad Black *thinks* he will walk out of that courtroom in Chicago a free man. His belief in his eventual acquittal is absolute. It has fuelled his every defiant statement, legal volley and confident gesture in the lead-up to his trial. But for Black, victory is a two-step process. A not-guilty verdict alone won't suffice. No, true retribution will only come once he has rained vengeance down on every sniping gadfly to cross his lordship over the last four years.

If Black wins, he has promised a reign of terror on his opponents that will make the firebombing of Dresden look like a backyard barbecue. He has already filed seven defamation lawsuits, say his lawyers, claiming more than $2 billion in damages. Black has turned his guns on the special committee at the Sun Times Media Group (formerly Hollinger International), on its high profile board of directors, including former friends like Henry Kissinger, and on Tom Bower, the British author of a scathing biography. Last fall, in a rebuttal to the book, Black described his plight as a three part act. Act One was the official, but not moral, downfall of him and his wife Barbara. Amiel Black Act Two, the court battle, is set to start March 14. "What are the Bowe resque pestilences going to do in Act Three, when I have won?" he wrote. "They may not wish to think of that now, but in a few months it will be our turn, and they will be thinking of little else."

"If he gets acquitted, it's very powerful," says Julian Porter, a Toronto libel lawyer. "Most of the writing I have seen is quite conclusive that he is guilty." Porter said Bower's book, *Conrad & Lady Black: Dancing on the Edge*, would be on the shakiest ground despite the author's boasts that he has never been successfully sued. But even the special committee report, which accused Black of carrying out a "corporate kleptocracy," could come back to haunt the company. "The committee obviously had a duty to write a report, and to write what they thought was true," says Porter. "But the question is, did they have the right to distribute it to the world?" Expect to see a rash of libel suit settlements if Black wins his criminal case. That's because the insurance companies backing the defendants may push for a quick resolution rather than risk a costly fight.

Even so, firing off lawsuits isn't going to fully replenish Black's depicted finances. Despite all those zeros in his claims for damages, the most he can realistically expect to be awarded in Canada is about $1.5 million per suit. Most settlements are reached for far less. It's not the money Black will be after, though. It's the apology. And lo, he will make them grovel.

A victory in Chicago may strengthen Black's hand in his libel suits. The reality is, though, his troubles would be far from over. Regardless of the outcome in Chicago, the Securities and Exchange Commission is likely to resume its civil lawsuit against Black. For example, Richard Scrushy, the former HealthSouth chief executive, was acquitted of fraud charges in 2005, but the SEC has launched a US$500-million suit against him that goes to trial in April. "Just because Black is found not guilty, doesn't mean he's innocent," says Peter Henning, a law professor at Wayne State University in Detroit. "This could entangle him for the rest of his life."

Nor will Black easily overcome the stigma of having gone up against U.S. law enforcement, says Bill Bartmann. He should know. Bartmann's company, Commercial Financial Services, imploded in the late 1990s. He was charged with 53 counts of fraud. In 2003, after a four-year investigation and three-month trial, a jury acquitted him. "It's a wonderful thing to be acquitted of something you knew you didn't do," he says. "But your finances are in shambles. And now you're left with a very tarnished reputation. It's like walking around with a scarlet letter. Even though you've been acquitted, to most people it implies you 'got off' because the jury made a mistake." Bartmann says Black will have already learned who his true friends are, having seen so many past acquaintances scurry into the darkness. After being acquitted, some people sheepishly crawled back into his life. "You come to appreciate how few friends you have," says Bartmann. "And how few you really need."

As for Black's future endeavours, should he avoid prison, he has given a few hints. "When it's all over I'll write about it and it'll be an eye-opener to a lot of people," he told *Maclean's*. "And I'll just write about how the system works—not too much about my personal life." In 2005, the former proprietor of one of the world's largest newspaper chains told *Fortune* magazine that "when we get to that happy day, I will throw myself like a college freshman on orientation day into finding new ventures and opportunities."

That is, after he's finished grinding his one-time accusers into the dirt. M



HE HAS ALREADY FILED SEVEN LAWSUITS WORTH MORE THAN $2 BILLION

M. SPENCER GREEN/AP

. . . AND IF HE LOSES

DON'T BE FOOLED BY THE TERM 'LOW SECURITY.' IF CONRAD BLACK IS CONVICTED, HE COULD SPEND THE REST OF HIS LIFE IN A DANGEROUS LIVING HELL. • BY JASON KIRBY

Conrad Black says his critics are gambling on a guilty verdict at his trial. Unfortunately for him, the odds appear to be in their favour. The U.S. government is a ruthless prosecuting machine. Of the six per cent of defendants who maintain their innocence and go to trial in federal cases, as Black and his co-accused have done, more than three-quarters are found guilty. More sobering still, eight out of 10 federal convictions result in prison time, and so for the vast majority of defendants, it's not so much a question of whether they'll go to jail, but where, and for how long.

If Black is convicted and loses his appeals, he faces 95 years behind bars. It used to be that white collar criminals in the U.S. had it pretty easy. Many served light sentences in minimum security prison camps, so called "Club Feds" for the relatively cushy lifestyle afforded their guests. Those days are gone. Twenty years ago federal sentencing guidelines were changed to take into account such things as a defendant's role and acceptance of responsibility for the crimes, and the dollars involved. Fraud cases that reach into tens of millions of dollars generally lead to harsh sentences these days. Enron's Ken Lay faced 20 years in prison before his death last year. His protege Jeffrey Skilling is now serving 24 years in a tough Minnesota prison. WorldCom's Bernie Ebbers is in for 25. And as a foreigner in the U.S. prison system, experts say, Black would likely be ineligible for a minimum-security facility.

It's impossible to say exactly where Black would be sent if convicted. Judges make recommendations, but the final decision is up to the Federal Bureau of Prisons. The bureau tries to place prisoners within 500 miles of their families, but as a deportable alien, Black might go anywhere. "They could put him in Texas where he'd be one of the few English-speaking people among the Mexicans," says Alan Ellis, a California attorney who specializes in federal sentencing. Still, a prison like the Elkton Correctional Institution in northern Ohio, one of five low security facilities (one step up from minimum) near Toronto, is a more likely destination. For Black, it will still seem like hell.

Ringed with razor wire fencing, Elkton is patrolled by armed guards. "It will house people from drug offenders to deportable aliens to people who have committed violent crimes like armed robbery, carjacking and extortion," says Ellis, author of the *Federal Prison Guidebook*, the Michelin Guide of U.S. jails. Former inmates say violence is common. One told a newspaper he saw an inmate throw boiling water on another's face, and beat him with a combination lock stuffed in a sock.

Inmates arriving at Elkton are strip-searched and fingerprinted. Guards seize all belongings, save for a simple wristwatch, wedding band and any religious medals. Black's new quarters would be a cramped two-man cubicle with cinder-block walls and bunk beds. He would share a barracks-style bathroom with 149 other men. Each day he'd rise at 6 a.m. to work as a plumber, cleaner or clerk, earning between 12¢ and 40¢ an hour.

Black could deposit money into the prison commissary to buy special items like shampoo and soda pop, or a radio that inmates can listen to in their cells, using headphones. There are no televisions in the cells, and inmates can spend no more than US$290 a month in the commissary. "A prison barber will cut your hair, but he'll want six hydrated soups as payment," says Jim Tayoun, a former city councilman in Philadelphia who spent 35 months in a Pennsylvania jail where he wrote the book *Going to Prison?*, a guide to serving time. "He can try to maintain his lordship's ways, but I would hide that title if I were him. It could be used against him."

Black's family could visit, though with some restrictions on how often. At each visit, family members are scanned for contraband and led to a meeting room. Inmates and guests are only permitted to embrace at the beginning and end of each visit.

In short, prison life will be unrecognizable. "When you go to prison, you become invisible," says Tayoun. "For people who are used to being out front and being seen, that's the biggest burden." And Tayoun has some extra advice for Black should he be incarcerated: keep your nose down, be friendly, but discreet, and above all, "don't try to show people how intelligent you are." M *With John Intini*



ONE PUBLIC BATHROOM SERVES 150 PRISONERS IN ELKTON, OHIO

THE INQUISITOR

HOW RICHARD BREEDEN BECAME THE WORLD'S FIRST CORPORATE GOVERNANCE BILLIONAIRE • BY MARK STEYN

A few years ago I used to know a fellow who produced all star charity galas in New York and London for all the usual causes—AIDS, breast cancer, poverty in Africa, and so forth. All very worthy, I'm sure. Yet I used to feel a little queasy in his company: this man spent his working week on nothing but charity shows yet had apparently become a multi-millionaire, with homes around the world, expensive tastes, first class all the way.

I had a similar sensation the other day on discovering—via *Books In Canada*, of all unlikely places—that Richard C. Breeden, the court appointed "corporate monitor" at the collapsed WorldCom and an "adviser" to the special committee of Hollinger International, is on course to become the first corporate governance billionaire. This guy has a 52-foot custom-built racing sloop with running costs of 30 grand a month in a class restricted to the likes of King Harald of Norway and King Juan Carlos of Spain. And he earned it through "corporate governance." Who knew there was so much money in complaining about the excessive salaries of American executives? As Olga and Adrian Stein note dryly in *Books In Canada*, it is "a remarkable achievement to have turned the knotty subject of ethics... into a financial fortune."

Mr. Breeden was formerly and famously the chairman of the U.S. Securities and Exchange Commission. Today he presides over the half billion-dollar corporate governance hedge fund at Breeden Capital Management of Greenwich, Conn., which is registered as an investment adviser to Breeden Partners Ltd. of the Cayman Islands. Breeden Partners has approximately $1 billion in assets. The Cayman Islands is in the British West Indies and thus beyond the jurisdiction of Mr. Breeden's successor at the SEC.

I hasten to add I have nothing against Richard Breeden. And I certainly have no desire to attract his attention in any way whatsoever. But it is striking that all the phrases that set off alarm bells in relation to Conrad Black—"excessive compensation," "Cayman Islands," "lavish personal tastes"—apply to Mr. Breeden equally and then some. And Mr. Breeden doesn't create any goods, doesn't publish any daily newspapers, doesn't produce anything except internal memos. It's four years since Hollinger put him on the payroll at 800 bucks an hour. That seems an awful lot to pay for a few sharp lines about Barbara Amiel expensing her tips to the doorman at Bergdorf Goodman. The tip was $20. Mr. Breeden earned that in the first minute-and-a-half of his labours for Hollinger.

To take another expense the Blacks ran up, the tab for Barbara's birthday party at La Grenouille in Manhattan was $42,870. Wow! That's a lot of money. Well, for most of us. Not Richard Breeden, of course. He earned that back in little more than his first working week at Hollinger. As Steve Maich reported in these pages, in fees to Mr. Breeden and other expenses, the cost of investigating Conrad Black's management of Hollinger International was up over $136 million—by the middle of last year. By now it's topped the $200 million the Black team is alleged to have "ransacked" from the company. Or to put it another way: Conrad could throw Barbara a party at La Grenouille every night of the week for 12 years and nine months and it wouldn't add up to what Hollinger International have spent investigating them. Think of Conrad Black as a psycho teen holding his Grade 10 class hostage in the school gym. Richard Breeden, Patrick Fitzgerald, Judge Strine of Delaware and the rest of the SWAT team storm in, gun down Conrad, plus his hostages, plus grades one through nine, and then pronounce the operation a great success.

And that's before you factor in the attendant meltdowns at the Toronto end of the business: in response to the post-Black Hollinger (U.S.) suing Hollinger (Canada) for its alleged milking of the company, the post-Black Hollinger (Canada) launched a counter suit against Hollinger (U.S.) seeking compensation for transferring ownership of Britain's *Telegraph* and other valuable properties from Hollinger (north) to Hollinger (south) and thus reducing the former to a mere holding company. Which when you think about it has an insane kind of logic, albeit of the final shootout of a particularly bloody spaghetti western.

So the question before us is a simple one: if Conrad Black is the disease, is "corporate governance" the cure?

The market doesn't seem to think so: any moment now—perhaps by the time you read this—the "Sun-Times Media Group" (as the rump of Hollinger International has been renamed) will slip below $4 a share—or a quarter of what it was when Conrad was defenestrated in November 2003.

The aggrieved minority shareholders who started this thing don't think so, either: in its most recent results, STMG reported a quarterly loss of $34.9 million, and its quarterly dividend of five cents per share has been suspended.

Those journalists laid off by the Telegraph Group in London presumably no longer think so: they have learned, as their colleagues in Canada's Southam papers did before them, that Black was the most benign of press barons and that it's the guys who come after who are the big ruthless cost cutting downsizers they all mistook Conrad for.



BREEDEN'S firm billed Hollinger millions

ROBERT K. CHIN

WHY ARE THE CANADIANS THE ONLY ONES CHARGED CRIMINALLY?

But beyond the losses to investors in two countries and readers on three continents are more basic questions. What has been done to Hollinger International is astonishing, and has very worrying implications for anyone with a public company in the United States. Hollinger International was not an Enron or WorldCom—a failing business of worthless properties fleecing its employees' retirement plans. The most that can be said against it was that it had a sluggish stock price. Yet, on that basis, courts and regulators have removed a company from its lawful controlling shareholders and delivered it into the hands of a small group of usurpers with no equity in the business, who sidelined the owners and proceeded to gut the enterprise, sell off the assets and even change the corporate name, all the while compensating themselves on as lavish a scale as the allegedly profligate regime the courts and regulators used to justify the usurpation. If this is "corporate governance," let's cut to the chase and adopt relatively straightforward Afro-Marxist confiscation.

American financial reporters seem relatively relaxed by all this—Hollinger was always an oddity south of the border, a U.S. company controlled by largely absentee Canadians—but you'd think the touchy nationalist nellies of the CBC, *Globe and Mail* and other outposts of lame-o maple boosterism might have spotted the most curious feature of the case: the only guys going on trial in Chicago are the Canadians, while the American A-listers who made up the company's "independent" directors have in effect been given a pass. They were apparently all naive unwitting American dupes who were as putty in the rapacious hands of the devious Canadians. Of all the many characterizations of Henry Kissinger and Richard Perle proffered over the years, this is surely the most fantastic. Yet it has been endorsed by regulators, judges, prosecutors and the usurper regime, and, if the Wall Street reporters can't be bothered raising a skeptical eyebrow, you'd think some of the CanCon crowd might.

Even if it worked, the hijacking of Hollinger would have been wrong. But it didn't work. With hindsight, Conrad Black's sale of the *National Post* and the other Canadian dailies to Izzy Asper was the last really boffo North American newspaper deal. Nobody's ever going to unload the flailing *Los Angeles Times* or *Boston Globe* half as profitably. It's a measure of the dull witted vindictiveness of Black's destroyers that the Last Great Deal is now cause for interminable investigation. Take the "non compete fees"—that's what the Aspers paid to Conrad and others to prevent him launching a rival newspaper in Calgary or Vancouver. Gordon Paris, Black's successor at Hollinger, feels these fees should have gone to the company rather than to the individuals. But why? Whoever eventually buys the *Chicago Sun-Times* is never going to pay a non-compete fee to the present owners: there's nobody on the board who knows a thing about newspapers. Mr. Paris earned a $9,000-a-day windfall for dismantling Hollinger and running it into the ground, and if he ever wanted to try launching a newspaper in London, Jerusalem or Toronto, the new owners of the former Hollinger titles would be laughing their socks off. In that sense, the new management's case against the old management is self refuting.

By this stage, some readers may be scoffing: come off it, Steyn, you're those lunatics' big buddy. Not exactly. I wasn't at that birthday bash at La Grenouille, for example. I would have liked to have been. And, insofar as one can tell, Barbara and Conrad have always found me sparkling and amusing company. But I didn't make the cut. Why not? Because the room was stuffed with powerful and influential figures from the business world. In the words of one who was there, "It was a classic New York evening: a business event masquerading as a social occasion." They go on up and down town every night of the week. In the overheated prose of his report, Mr. Breeden does his best to make the party sound scandalous: why, there were celebrities present! Peter Jennings! And Barbara Walters! And... and... Charlie Rose, the ponderous PBS anchor. Are these really such surprising figures to find at a media company's dinner? For that party, Hollinger paid 40 grand. Conrad chipped in 20. Isn't that a reasonable reflection of the event's corporate personal ratio?



THE INFAMOUS dinner at La Grenouille. Business or pleasure?

PAT CROWE II/CP

And, if it isn't, do you really want to pay Richard Breeden $800 an hour to investigate it? While writing this, for example, I asked my assistant to postpone my hairdressing appointment. Is that a legitimate business use of her corporate time? Well, I'm getting my locks trimmed for a public appearance. My hair will be seen on a TV show. On the other hand, it will also be accompanying me to dinner and thence hanging upside down in my favourite bondage dungeon afterwards. Is the proportion of my hair engaged in business activity enough to justify my asking my assistant to use the corporate telephone to switch the appointment? In any regulated business environment, there is no correct answer to that question, only a judgment. The judgment should maintain a sense of proportion: the 2:1 business personal ratio at Barbara's party seems to me proportionate.

By comparison, take one of the minor disputes arising from the Hollinger implosion: the 2005 case brought in Ontario against Hollinger Inc.'s first slate of squeaky-clean post-Black directors by the second slate of squeaky-clean post-Black directors to get the bonuses of the first slate reversed. For attending a few meetings over the course of five months, these chaps paid themselves $600,000 each plus a $600,000 termination bonus—or, in other words, what Tweedy Browne complained Barbara Amiel had earned in five years. That seems a wee bit disproportionate. Even if you concede that every charge against Black is true, it's also somewhat disproportionate for the company to blow through a $200-million cost to the company of investigating it, for U.S. prosecutors to threaten him with a 95-year jail term, and for pusillanimous Canadian regulators to facilitate the collapse of Canadian companies.

Conrad and Barbara Black are easy targets—an orotund peer of the realm and his sinister Zionist trophy clothes horse. But they were good for readers, good for newspapers, and better for capitalism than a regime of arbitrary regulatory usurpation. What has happened to Hollinger is a disgrace. I hope Conrad Black is acquitted in Chicago. But there is much more at stake here than the fate of one man. M

Oscar, pull up your socks!

★ PERFORMANCES ★

Universally panned as the dullest Oscar broadcast ever, the ceremony had the unglamorous air of a morning talk show. And who better to preside over such an undertaking than daytime talk-show queen Ellen DeGeneres? She discussed wearing pyjamas, vacuumed the aisle, and sported a baby carrier modified to carry an Oscar. The program yielded some good performances, but even more bad ones.

BAD: RYAN SEACREST

The *American Idol* ringleader spontaneously decided to show off his underwear to the camera, giving himself a wedgie. While Helen Mirren waited to be interviewed, Seacrest hastily repacked his underpants.

GOOD: JENNIFER HUDSON

She went out there a kid and came back a star, remaining steadfastly goggle-eyed and astonished at her good fortune. She earned praise for her self-control during an interview in which erstwhile tormentor Simon Cowell piped up with some praise. Cowell famously ejected her from *American Idol* in 2004 when he said, "You're out of your depth." By Sunday, he'd taken a new sounding and said: "I have a feeling you're going to win tonight. None of us would have called it—apart from me." Still astonished, Hudson asked, "Is he okay?"

BAD: JAY MANUEL

On E!'s pre-ceremony show, the host of cable's *Style Her Famous* took a page from pro sports broadcasting. He adapted the Telestrator pen, which is used to draw arrows on freeze-framed video to show football plays, and renamed it the Glam-O-Strator. Manuel then drew yellow lines on pictures of red-carpet starlets' dresses, pointing out the good and bad. It was hard to decide just what he was thinking when he drew smile lines beneath Jennifer Lopez's buttocks.

GOOD: FOREST WHITAKER

Too often overlooked, the American actor scooped Best Actor for portraying Idi Amin in *The Last King of Scotland*. Whitaker's acceptance speech was full of foggy thoughts on "believing in connections" between people, but after acting in 39 films, he reminded viewers that sometimes nice guys do finish first.

BAD: EDDIE MURPHY

When Alan Arkin won the Best Supporting Actor award for *Little Miss Sunshine*, it was widely seen as an upset. And no one was more upset than Eddie Murphy, who had been vying for the same award for his role in *Dreamgirls*. Murphy reportedly stormed out of the Kodak Theatre and wasn't seen again that night. Surely a little generosity was in order, given that it's been 38 years since Arkin has received an Oscar nomination.

WEIRD: MERYL STREEP

While everyone's favourite for glamour was Cameron Diaz, who sported a folded-down napkin-origami dress by Valentino, it was Prada-clad Streep who set the tone for the strangest getup, something that could rightly be described as "Oregon astrologer drag." And she spoke in suitably mystic ways about dressing for Oscar. Noting she was up for her 14th nomination, Streep said: "I'm a size 14, so it all matches."



MIXED: HELEN MIRREN

In her acceptance speech, the Best Actress winner sounded too much like the real Queen's press agent ("She's had her feet planted firmly on the ground, her hat on her head, her handbag on her arm and she's weathered many, many storms"). But while the speech undercut the ambiguity of her performance in *The Queen*, it may have paid off in other ways. By early in the week, rumours intensified of an invitation from Elizabeth II for Mirren to attend Buckingham Palace for tea.

BAD: JACK BLACK, JOHN C. REILLY AND WILL FERRELL

In a singing comedy routine, the trio lamented that comedies never win Best Picture, but the routine had little to do with this year's films. Ferrell's Borat-style hairdo resembled a slumbering cockapoo dog. Despite their melodious pledge to take home Helen Mirren, the three fell flat.

★ INTERNATIONAL ★

The international presence at the Oscars long ago got out of the Foreign Language Film ghetto. This year, the global movie presence reached a point that Will Smith recited a consolation-prize speech introducing a montage of U.S. films. But the American century in film may be over. Some notes.

THE THREE AMIGOS

Mexican directors Guillermo del Toro (*Pan's Labyrinth*), Alejandro González Iñarritu (*Babel*) and Alfonso Cuarón (*Children of Men*) were a sign the Awards are a global affair. With 16 nominations among them, they took home four. *Pan's Labyrinth* for Best Cinematography, Art Direction and Makeup, and *Babel* for Original Score. González dismissed an interviewer who tried to package them as the "three amigos," responding: "We don't really like each other, it's just a sexual attraction."

A NORWEGIAN CONNECTION

The lone Oscar winner for Canada was an even more international affair than most. Norwegian-born Torill Kove won for Best Animated Short for *The Danish Poet*, produced at the National Film Board of Canada. Said Kove: "There is not a doubt in my soul that this film is 100 per cent Norwegian."

OSCAR ROYALTY

"You don't really know who's going to win," host Ellen DeGeneres said, then added a note of realism: "unless you are British, and then you know you've a pretty good shot." Helen Mirren's triumph was expected, but people did wonder why she turned up so late at the *Vanity Fair* magazine party. Co-star Michael Sheen, who played Tony Blair in *The Queen*, speculated on where she might have been. "She's probably been sitting in the toilet, staring at her Oscar and talking to it. That's what I'd be doing."

ALL-AMERICAN ASIANS

What could be more American than a Martin Scorsese picture? Actually, *The Departed*, which won Best Picture, was derived from *Infernal Affairs*, a Hong Kong crime film. Hollywood is increasingly remaking Asian hits, including *The Grudge* and *Dark Water*. The flattery of imitation is not lost on *Infernal Affairs*' co-director Andrew Lau. "I've never been so happy, seeing my movie remake doing so well."



'I THOUGHT I'D DO A "SNOOP"'

–Ryan Gosling adopts a pimpin' pose while clutching two babes: his mother and sister

'I LOVE A FULL-FIGURED GIRL WHO CAN STAND IN FRONT OF A CAMERA AND SING HER HEART OUT. BUT THAT'S ENOUGH ABOUT ME.'



–Former heartthrob-turned-'Hairspray' drag queen John Travolta

Ellen DeGeneres, scanning the foreign-dominated audience:



'I see a few Americans, but they're the seat fillers. Nobody can fill a seat like an American.'

'VALIUM DOES WORK'

–A palpably calm William Monahan in his acceptance speech for Best Adapted Screenplay



'IT'S GOOD TO BE IN TOUCH WITH YOUR FEELINGS'

–Anne Hathaway to Ryan Seacrest after he confessed to having cried at the comedy 'The Devil Wears Prada'

'Visual effects: they enable us to see aliens, experience other universes, move in slow motion or watch spiders climbing high above the city landscape. For me, just a typical weeknight in the mid-nineties.' –Robert Downey, Jr.



'THERE ARE A LOT OF BRITISH NOMINEES. WOULD I SAY TOO MANY? NOT HERE. AT HOME IN MY PYJAMAS WITH HALF A BOX OF CHARDONNAY, WHO KNOWS?' –Ellen DeGeneres

'COULD YOU DOUBLE-CHECK?'

–Martin Scorsese, not quite believing that after all these years he'd won an Oscar



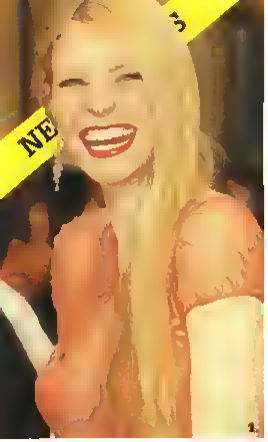
AP REUTERS GETTY IMAGES



My name Tiger Woods
childhood ambition to beat dad in a game of golf
fondest memory riding my bike and skate board all the time
indulgence my boat
last purchase My friends new album from Hootie and the Blow-fish
favorite movie Caddyshack
inspiration My parents
My life is hectic
My card is American Express

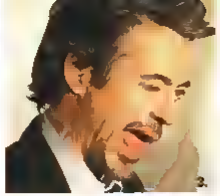
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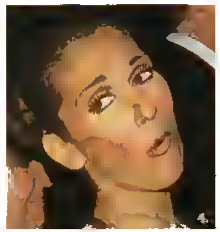
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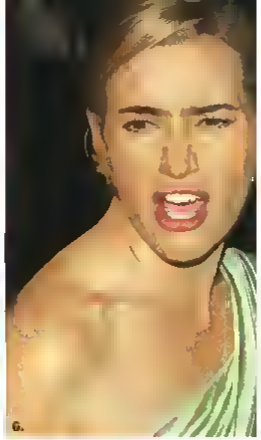
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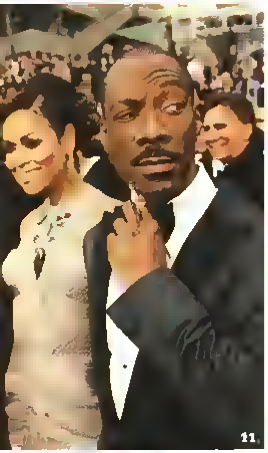

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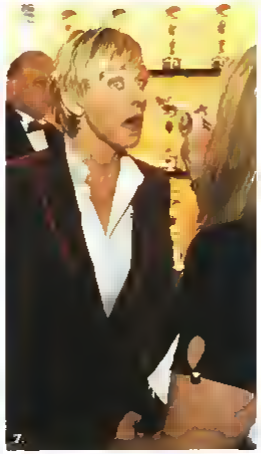

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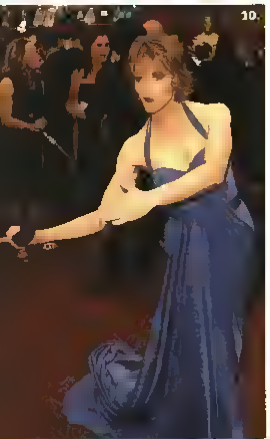

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★ OSCAR OUTTAKES ★

Gwyneth Paltrow (1) landed on the carpet in suitably high spirits. Demure Anne Hathaway (2) and not-so-demure Robert Downey, Jr. (3) served as Oscar presenters. Céline Dion (4) belted an Ennio Morricone song that wasn't even in competition. Cameron Diaz (5) arrived with a Hawaiian tan, while Kate Winslet (6) arrived in a toga party-ready dress. Ceremony host Ellen DeGeneres (7) receives a makeover on the fly. Will Smith had a friend in Marc Anthony (8), Helen Mirren (9) had a new one in Oscar, and Jodie Foster (10) seemed to have an imaginary one. Eddie Murphy (11) simply didn't look friendly.


7.


10.


9.


8.



My name MARTIN SCORSESE

childhood ambition TO GET OUT OF WHERE I WAS

fondest memory MY PARENTS AT THE PREMIERE OF "MEAN STREETS" 1973

indulgence CLOTHES

last purchase 12 PAIR OF SOCKS FROM ROME, ITALY

favorite movie THEY ARE LEGION

inspiration OTHER FILMMAKERS

My life STILL WORKING ON IT

My card IS AMERICAN EXPRESS

My life My card℠

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NEWS MAKERS



★ GREEN OSCARS ★



The Academy Awards officially adopted an environmental policy this year, with recycled paper used for the award envelopes—an Academy first. But not everything was that eco-friendly

GAS GUZZLERS STILL RULE

Although hybrids such as the Prius and the sexy Tesla electric roadster (above) lined up outside the Kodak Theatre they were mostly lost in a sea of black limos, including stretch Hummers and Caddies, which made up the vast majority of the 1,000 vehicles used to ferry the famous

ORGANIC HOOPLA

With the help of the Natural Resources Defense Council, producer Laura Ziskin wanted the greenest ceremony in Oscar history. At the Governor's Ball, partiers swilled organic and environmentally friendly cocktails, and, instead of bags of swag, this year's presenters were given one year's worth of "carbon offsets," that could be applied to green energy and conservation projects. Gone were the traditional loot bags full of sumptuous goodies, but not because they were environmentally unsound, U.S. tax authorities expected stars to pay tax on them. Environmental change happens in odd ways.

GREEN SUPERSTAR

Al Gore's *An Inconvenient Truth*, already the third-highest-grossing documentary of all time, took home Best Feature Documentary and Original Song Oscars. The tune was played by Melissa Etheridge, and Leonardo DiCaprio unctuously fawned over Gore, prompting a TV reporter to ask the former VP if he'd gone Hollywood. "Do you hang out with these guys?"

★ OLD BOYS ★

Oscar is well into his senior years, and so are some of Hollywood's biggest stars.

BETTER LATE THAN NEVER

The night's moment of true pathos went to Martin Scorsese, who picked up a long-elusive nod for Best Director, and whose film, *The Departed*, also took Best Picture. He was the sentimental favourite, given four decades of output, including *Raging Bull*, which lost the 1981 Oscar to the now forgotten *Ordinary People*. Sunday's award was presented by Francis Ford Coppola, Steven Spielberg and George Lucas, a trio of aging Hollywood royals, who've been Scorsese confidants since before *The Departed*'s stars, Leonardo DiCaprio and Matt Damon, were born.

NEVER MIND, HAVE A DRINK

Peter O'Toole, 74, had lost the Oscar for Best Actor six times since first being passed over in 1963 for *Lawrence of Arabia*. On Sunday he looked stunned and dismayed when he lost yet again. The Academy has previously honoured O'Toole (in 2003) with a Lifetime Achievement Oscar, and the increasingly frail actor may have to settle for that, even if his performance in *Venus* won great critical praise. In any case, the man has had more than enough wine and women to make up for the loss of a mere statue.

NIGHT ON BALD MOUNTAIN

What's up with Jack Nicholson's bald head? Has he been hanging with Britney Spears? Although he said little during the broadcast, at 69 he remains the unconquered summit of cool—and possesses a kind of notoriety that easily rubs off. Before announcing some nominees, George Clooney quipped, "I was just backstage, drinking with Jack Nicholson and Al Gore. And Al Gore is not going to be running for president." M



'I WAS DRINKING WITH JACK NICHOLSON AND AL GORE. AND AL GORE IS NOT GOING TO BE RUNNING FOR PRESIDENT.'—GEORGE CLOONEY



My name Andy Roddick
childhood ambition loop, swoop, and pull
fondest memory swimming in Town Lake
indulgence good food
last purchase turkey sandwich
favorite movie Shawshank Redemption
inspiration making a difference
My life is about finding a way to win
My card is American Express

My life My card℠

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STARS IN NEED OF REMEDIAL GREATNESS: SCOTT FESCHUK GRADES THE OSCAR SHOW



SCOTT FESCHUK

"There's so much more still to watch!" we were told almost three hours after the 79th Academy Awards had begun. It sounded less like an entice ment than a threat

After the sombre-frocked, cleavage-covering Oscars of post-9/11, and after flings with hosts who were dangerous and funny (Chris Rock) and cynical and funny (Jon Stewart), the Oscars turned to the cuddly and not entirely unfunny Ellen DeGeneres The result was a hap-hap-happy ceremony in which everyone was great, Hollywood was great, America was great, and movies were *so* great in their greatness that a clip reel of long-time producer Sherry Lansing's "legacy of classic films" actually included—without irony (or, for that matter, mercy)—an excerpt from *Indecent Proposal* The evening felt like a grand, ego-stroking, esteem building production put on by Up With (Rich and Famous) People! It also proved that, unlike on most nights, TV still has the capacity—with the help of Oscar—to be nut-numbingly boring

Let's recap the 79th Oscars by gauging the show's defining moments on the Cringe o Meter—where a one is the equivalent of watching David Hasselhoff try to keep his chest from juggling in the later seasons of *Baywatch*, a five is the equivalent of walking in on your parents having sex together, and a 10 is the equivalent of walking in on a parent having sex alone

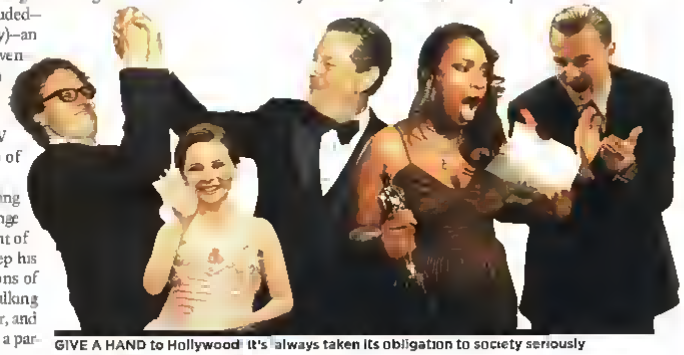
1.7 The epidemic of tedious clip reels that serve no purpose—such as the montage of foreign films, which was apparently designed to inform Americans that foreign films are made in foreign countries by foreign people who speak foreign languages that *aren't even English* (Although, to be fair, there was something charming about having this reel introduced by a French actress and a Japanese actor whose English could be understood only by Penélope Cruz)

2.7 Jennifer Hudson thanks God for answering her prayers with an Oscar God replies "You're welcome! Now excuse me because I have to go deal with a bunch of potentially knocked-up teens whose desperate boyfriends have pledged to be loyal churchgoers for the rest of their lives if I do them this one solid."

3.3 A third Mexican comes up to accept an award This in itself was by no means cringeworthy—but I think we all got a little anxious that President Bush might bust in, wonder aloud whether anyone speaks American around here anymore, and vow to build a wall around Hollywood to stop Mexicans from takin' all them American jobs as award winners and such

3.8 The moment during the You're-great, No *you're* great interlude between Leo DiCaprio and Al Gore when Leo said that the film industry has "always taken its obligation to society seriously" In Hollywood's defence, those young, impressionable girls aren't going to de-virginize themselves!

4.1 Just thinking about poor Peter O'Toole I mean, the guy's been nominated eight times and has never won And then he had to sit through another torturous ceremony while a) knowing he had zero shot, and b) hearing the following words actually spoken aloud "Ladies and gentlemen, Academy Award winning screenwriter, Ben Affleck." How much emotional trauma can one man absorb?



GIVE A HAND to Hollywood! It's always taken its obligation to society seriously

4.7 Ellen DeGeneres On entertainment's biggest stage (if you don't count the Super Bowl halftime show or Justin Timberlake's waterbed) she came out wearing Captain Kangaroo and offering up material ideally suited for a Kiwanis Club roast tame, inoffensive and tedious She had not a single joke about Mel Gibson but—*Whoa!* Look out! Comedy train a comin' through!—Ellen did vacuum the floor! Good thing the show ended or she would have started pulling quarters from behind Spielberg's ear (Ellen even inflicted upon Al Gore the 1,000,000th joke about how he was actually elected president For some reason, balloons and confetti to mark the milestone failed to fall)

5.5 The sound effects choir—proof positive that my high school proficiency in making fart sounds with my armpit should all along have been nurtured as a viable career skill

6.4 Those 23 agonizing seconds during which the dude who directed *An Inconvenient Truth* would not stop touching Al Gore

7.8 The backstage vignettes with Chris Connelly, which managed to be similar to, but even more boring than, *Studio 60*.

8.1 Bringing out the obligatory pair of cute kids to present less than half an hour into the ceremony. I'm not saying this was a sign of desperation, but in the background I swear I heard someone yell "Begin the thawing of Rob Lowe and Snow White!"

9.2 Yikes Let's all pretend it's cute that Will Smith's kid can't read.

9.4 The poor, defenceless faces of Hollywood celebrities I'm not saying Nicole Kidman was overly botoxed, but her features were so stiff that she couldn't even register disgust at her own gown. And listen: I'm no expert but I believe Leonardo DiCaprio and many others may have applied their self-tanning products incorrectly—unless the directions actually read 1 Spray it all on, 2 Buy more, 3 Spray *that* all on, too, 4 Roll around in a big vat of Cheez Whiz, and 5 Look around—can you find any more stuff to spray on?? Then again, maybe eco-warrior Leo's orange skin tone is just a side effect of him selflessly absorbing more carbon than the rest of us M

ON THE WEB: For Scott Feschuk s take on the news of the day visit his audioblog **www.macleans.ca/feschuk**



My name M. Night Shyamalan
childhood ambition Rubik's Cube champion
fondest memory Kissing my wife in the rain
indulgence Basketball
last purchase Moby Dick
favorite movie The Godfather
inspiration The three black-haired angels that live in my house
My life is about finding time to dream
My card is American Express

My life. My card.℠

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COURTESY DISNEY ENTERPRISES INC. COURTESY THE DORIS CORPORATION

A new exhibition puts the man who gave us Mickey in pretty exalted company

BY JAIME J. WEINMAN

Matisse, Picasso and Disney

media

Walt Disney was a European at heart. Or that's the impression a museum exhibition is trying to give. *Once Upon a Time... Walt Disney* premiered at the Galeries nationales du Grand Palais in Paris, which usually hosts the likes of Matisse and Picasso. Now the exhibition arrives in Canada on March 8 at Montreal's Musée des Beaux-Arts for its only North American showing (for now). Bruno Girveau, the man responsible for the show, told *Maclean's* why it has caught on with audiences and even critics in France. "It's a huge surprise to see that even if Walt Disney was not a cultivated man, he was interested in European culture and literature and music."

Girveau is the chief curator in charge of collections for the Ecole Nationale Superieure des Beaux-Arts, Paris. An intense-looking man with spectacles and a stubble of beard, he has been trying to find a way to mount a Disney exhibition since the mid '90s, when he was watching Disney's classic animated films with his kids and realized how good they were. But he knew that it would be tough to get one of the most famous representatives of American corporate culture into a Continental museum. "It was impossible, especially in France, to do such an exhibition, about a man who is for the French the baton of mass culture," he told Ben Simon at *animated-views.com* (which featured comprehensive coverage of the Paris exhibition).

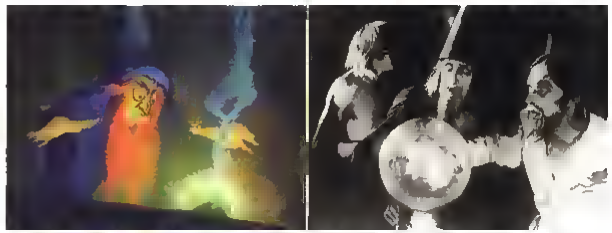
Finally Girveau hit on a way to make Disneyana acceptable even to the most hardened art snobs. He found his inspiration in a 2000 book by cultural historian Robin Allan, called *Walt Disney and Europe: European Influences on the Animated Feature Films of Walt Disney*. As you can guess from the title, it was about various European artists whose work had an impact on the look and style of Disney's films. Allan, who consulted on the exhibition, pointed out that many Disney movies took their cues from classic Western painting, sculpture and architecture. And that, for Girveau, was the key to making Disney respectable for a non-mass audience.

Girveau's exhibition places Disney in the so-called canon of European art by showing bits from Disney films side-by-side with older art that looks somewhat similar. A storyboard for *Snow White and the Seven Dwarfs*, with the heroine wandering through the dark and scary forest, is juxtaposed with a similarly dark, scary forest from the 19th-century French illustrator Gustave Doré. A collaborator of Disney's, the Swiss painter Albert Hurter, is singled out for incorporating turn-of-the-century German art styles into animation. "He knew very well all the German symbolist painters," Girveau says, "and I think it's very unexpected to see that the Pastoral Symphony in *Fantasia* is directly influenced by those painters."

Even live-action cinema gets into the act, with a collection of movie clips that were referenced in Disney cartoons. The witch's terrifying transformation sequence in *Snow White* was influenced by German expressionist movies like Fritz Lang's *Metropolis*. There are American movies in there too, like *King Kong*, but the overall point seems to be that Disney could be as arty as any foreign film.

This focus on Disney's sources has paid off in critical acceptance. "In France, there is a very strong anti-American feeling," Girveau explains, "and we were afraid of a bad reaction. But it was really a surprise for everyone to see how many influences Walt Disney introduced in his movies, unexpected influences like German expressionist cinema. So even in the cultural world, people realized that the movies of Walt Disney are works of art."

Of course, since Disney didn't do much drawing himself after he became a producer, an exhibition of "Disney" art is really about the art of the people who worked under his supervision. And in a museum context, it helps that the collection doesn't just feature animation drawings. Disney commissioned full-scale paintings from so-called concept artists, to demonstrate what a film should look like. The works of Mary Blair, which inspired unique colour schemes that were incorporated into movies like *Cinderella* and *Alice in Wonderland* (not to mention inspiring a fan website called "Mary Blair Cannot Be Killed!"), don't look that much like the final designs, but they do look a lot like paintings you'd expect to find in a museum.



JOHN ATKINSON GRIMSHAW'S *Iris* (left), Tinker Bell (top), *Fantasia* and Paul Leni's *Waxworks*

The fact that Disney depended on so many different artists actually helps the exhibition look more artistic and museum-worthy. You can't always tell from the movies, which were homogenized into what Girveau calls the "Disney style," but his artists created background paintings or animation sketches that



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media

are not very Hollywood-like Girveau devotes a lot of space to *Sleeping Beauty* and its designer, Ervind Earle Earle's idea was to give the movie the flat look of pre-Renaissance paintings, and his backgrounds hang in the museum as an example of how Disney allowed his employees to paint in a classic European style Girveau doesn't speculate on whether that might have contributed to *Sleeping Beauty*'s underperformance at the box office

There's not much talk about Disney's failures or setbacks here, let alone his artistic limitations Girveau has understandably tried to sidestep the kitschy side of Disney, his infamous tendency to take literary and artistic sources and dumb them down. But you can still see it here and there in the exhibition, when you look at some of the paintings or drawings, and then compare them to the movies we know, you can get the impression that something was lost As a producer, Disney guided his artists to create a finished product that would reflect his vision, but that means that artistic personalities were swallowed up like Monstro the whale swallowing Pinocchio And it's the opposite of what an art museum usually stands for the celebration of individual artists and their styles

And all this focus on peripheral things—the artworks that mildly influenced Disney, or the paintings that were made in preproduction—could be seen as sidestepping the big question what are we to make of the finished artistic creations, the movies themselves? In an essay on his website, *Michaelbarrier.com*, animation historian Michael Barrier attacked the exhibition for its display of what he called "Disneyism"—"defining the best qualities of the Disney films in terms that foreclose discussion of what actually makes the films worth watching" For Barrier, the exhibition spends all its time on pointless attempts to link the Disney films with various sources of artistic inspiration, instead of trying to come to grips with the real Disney style Disney's achievement was "the creation of a new and tremendously potent kind of figural art," but you wouldn't know it from exhibits with titles like "Dali and Disney"



Still, if *Once Upon a Time Walt Disney* doesn't necessarily tell us what made Disney great, it showcases a lot of great art, from inside and outside the Disney studio Didier Ghez of *disneybooks blogspot com* was just happy to see Disney's animators

THE SHOW CAUGHT ON WITH AUDIENCES: 'IT'S A SURPRISE TO SEE THAT DISNEY WAS INTERESTED IN EUROPEAN CULTURE'



JOAN CRAWFORD (top), a statue in Germany's Naumburg cathadral, and the evil quaan in *Snow White*

PARIS BIBLIOTHÈQUE DU FILM ET DE L IMAGE/STUDIO LORELLE DISNEY ENTERPRISES INC MONTREAL MUSEUM OF FINE ARTS

and concept artists get their due alongside the works of great Europeans "As all of you know," he wrote, "Disney's artists' works do not pale in front of those of those masters" Maybe that's what really matters at a museum it's good for art to be European, but it's even better to be good And Disney's people were good M



STOP THE PRESSES . LIZ HURLEY AND SHOOTING

"In Friday's article on Liz Hurley's wedding it was wrongly stated that the actress is holding a pheasant shoot on the Sunday after tha caremony Game shooting is of course illegal on Sundays and the pheasant saason anded on Feb 1 We apologiza for tha error and accapt that if any shooting is to be done it will ba by the paparazzi who have no season and do not observe the Sabbath"—*Daily Telegraph*, Feb 26



AMATEUR SLEUTH Robert Graysmith, played by Jake Gyllenhaal, was a cartoonist who out-investigated the pros

film

Capturing the original serial killer

David Fincher's 'Zodiac' rekindles the cold case of America's first celebrity psycho

BY BRIAN D. JOHNSON • He was America's first celebrity psycho, the man who pioneered homicide as mass-market entertainment The term "serial killer" had not yet been coined But in 1969 a man calling himself the Zodiac began publicizing his murders in letters, and teasing cryptograms, sent to San Francisco newspapers Manipulating the media and taunting authorities for decades, the Zodiac eventually claimed responsibility for over two dozen victims The police pinned five deaths on him, but he was never caught He has, however, left an indelible mark The Zodiac created the template for the serial killer movie And Dave Toschi, the San Francisco detective who spent 19 years trying to catch him, became a model for Hollywood cops—Steve McQueen in *Bullitt*, Michael Douglas in *The Streets of San Francisco*, and Clint Eastwood in *Dirty Harry*, which was based on the Zodiac murders

The Zodiac also made a deep impression on director David Fincher, who was terrified of this bogeyman as a seven year-old growing up in the Bay area. Those childhood night mares crept into the fictional horror of *Se7en*, Fincher's harrowing serial killer movie And the director, now 45, brings the legend full circle with *Zodiac*, a procedural drama that unravels the true story of the case in scrupulous, authentic detail Focusing on the investigators rather than the monster, Fincher reverses the lurid aesthetic of the psycho killer genre and pulls off an astounding feat: he's made a gripping, 157 minute thriller that consists mostly of guys comparing notes "This is something I felt passionately I was right for," Fincher told *Maclean's* "Having done the serial killer thing, I felt I had the credentials to say, 'We're going to do something a little different here, and trust me, it's going to be okay' It's not *Silence of the Lambs* It's a newspaper movie, like *All the President's Men*."

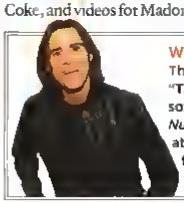
Zodiac is a character study of three men who risked their sanity trying to unmask a lunatic—Inspector Toschi (Mark Ruffalo), whose reputation and health were ruined by the case, *San Francisco Chronicle* crime reporter Paul Avery (a deliciously cast Robert Downey Jr), who succumbs to addiction, and Robert Graysmith (Jake Gyllenhaal), a *Chronicle* cartoonist and amateur sleuth who out investigated the pros, and wrote two books on which the movie is based

All Fincher movies—*Se7en*, *The Game*, *Fight Club*, *The Panic Room*—are scenarios of diabolical gamesmanship But *Zodiac*'s riddle was created by a real life killer with a fetish for film (his coded clues pointed to the 1932 movie *The Most Dangerous Game*) So ran he be seen as an artist, *Zodiac*'s original screenwriter? "He was more marketer than artist," says Fincher "He was the beginning of the great scourge of America. What do we *make* anymore? Nothing But we sure know how to package it As a serial killer, Zodiac was an underachiever The only reason we're still talking about him is because of the letters"

Fincher has done his own share of packaging, shooting commercials for Nike and Coke, and videos for Madonna, Michael Jackson and the Stones But while *Zodiac* is fluidly directed, it's starkly understated, without his usual flash "We didn't want the audience to feel they were being hyped," says Fincher "We didn't want to direct their attention—with a close-up of someone picking up their keys that would be a shorthand for 'Watch the keys!' Someone comes into a room and says, 'Here's what I think,' and you either believe them or you don't and move on to the next scene The unadorned style of it was we've got the facts, let's go with that"

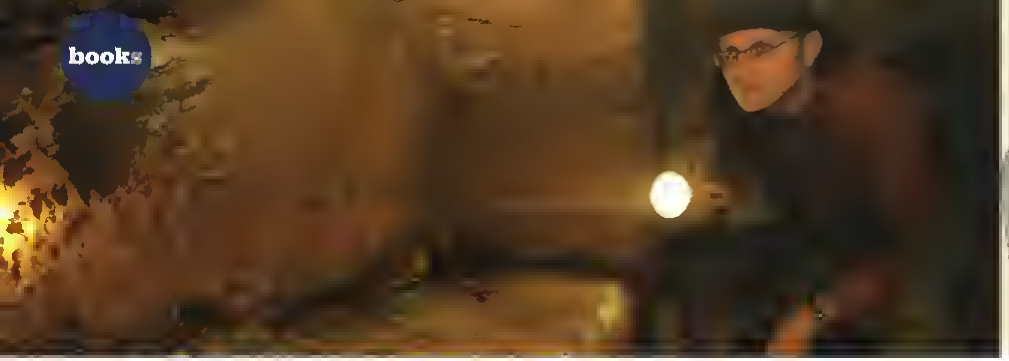
With writer James Vanderbilt, Fincher became another obsessed investigator, delving into police files, and interviewing both cops and victims who survived attacks The facts add up to an ironic portrait of a naive age "It's about liberal San Francisco in 1969," says Fincher, "and the notion of a serial killer who, two summers after the Summer of Love, is dressed like a postal worker and shooting newly sexualized kids To this day, San Francisco is a very strange place In no other city in America would you get [showboat lawyer] Melvin Belli on television to talk to an ostensible murderer and possible future client"

The same year Belli brokered the Altamont debacle for the Stones, he was on live TV negotiating with a caller claiming to be the Zodiac Welcome to the age of lethal celebrity, the unending reality show Now it's the world we live in Suicide bombers, schoolyard shooters, torture on the Web—everyone knows that unless it's famous, it never happened M

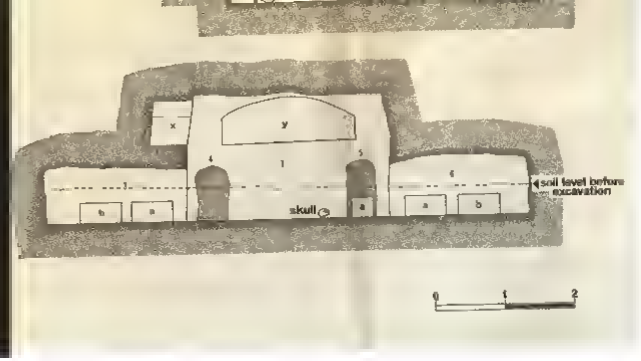


WE'RE STALKING . JIM CARREY

The manic class clown is settling down to a more spiritual life "The universe is tapping me on the shoulder and saying, 'There's some kind of intelligence in the world' " His mystic thriller, *The Number 23*, gave expression to his new-found spirituality It also attracted dreadful reviews, but Carrey remains undaunted He's taken up painting and ice-skating, and he says he is preparing a book tentatively called *Be Ready to Be OK*



JACOBOVICI: His experts say there's a one in 600 chance this was *not* the grave of Jesus' family. Archaeologist's sketch of tomb (right)



COURTESY THE JESUS FAMILY TOMB/HARPER COLLINS

Tales from the Jerusalem Crypt

A crew of Canadians claim to have found the tomb of Jesus Christ—and his wife and son

BY BRIAN BETHUNE • In the end it all comes down to the odds. If a motley crew of mostly Canadian filmmakers, DNA researchers, probability experts and historians ever manages to convince the world that the ossuaries bulldozed out of a Jerusalem hillside in 1980 once held the bones of Jesus Christ and his closest relatives, the credit will go partly to high tech forensics but mainly to high-stakes statistical analysis. The extraordinary tale that Toronto filmmaker Simcha Jacobovici tells in his documentary *The Lost Tomb of Jesus* (Vision TV, March 6) and its companion book *The Jesus Family Tomb* (HarperCollins) involves the much maligned James ossuary, Mary Magdalene's wonder-working ministry and a fresh look at things hiding in plain sight.

The story starts, naturally enough, with the Gospel accounts of Easter morning and the empty tomb. Empty, according to Jacobovici, not because Christ had physically risen again, but because his followers had moved him to his own family tomb. That's one large leap for Jacobovici, a challenge both to the faith of most Christians, and to secular skeptics, who think it unlikely a poor family of Galileans would have acquired an expensive Jerusalem tomb. But there's no question about what happened next to the bones: virtually nothing for almost 2,000 years.

The hills around Jerusalem were in the midst of a sustained building boom 27 years ago, with construction companies turning up archaeological sites at the rate of a dozen a month. The temptation to just pave them over was strong, and firms often did. But the crew levelling land for a suburb in Talpiot on March 28, 1980, was under the direction of an Orthodox Jew who would never consider desecrating a grave. When a bulldozer drove its way into a burial chamber, the crew chief called the Israel Antiquities Authority.

Three experts came to carry out "salvage archaeology." They found 10 ossuaries and trucked them away to the IAA's vast ware house. Although one quickly disappeared, the other nine were eye-popping enough. Six bore names in Aramaic or in Greek, and what names they were—Yeshua bar Yosef, Maria, Matia, Yose, Mariamene e Mara, and Yehuda bar Yeshua. In English: Jesus son of Joseph, Mary, Matthew, Joseph (in diminutive form, i.e. "Joey"), Mary also known as the master (Jacobovici's reading) or Mary also known as Martha (the IAA reading), and Jude son of Jesus. The last was by far the smallest box, perhaps indicating that it was a child's.

Even for a trio of hard-headed archaeologists this cluster of Gospel names was enough to bring a brief pause. But as Amos Kloner, who in 1996 wrote up the IAA's site report, told a BBC reporter, he was aware the Gospels did not mention a son of Jesus Christ, or anyone with the name Mariamene. More importantly, the names were the Tom, Dick and Harry of Jesus' era: half of all Jewish women were called by some variant of Mary. Kloner's conclusion? No story here.

And that might have been that if it hadn't been for the James ossuary. The story of the bone box bearing the inscription James, son of Joseph, brother of Jesus is intimately connected with the ossuaries now in question. The James ossuary was headline news in 2002, when owner Oded Golan announced its existence, and again the following year when the Israeli government arrested Golan and seized the ossuary as evidence in an antiquities fraud. Without a chain of evidence—proof that it read as it does now while still in the tomb—the second half of the inscription, "brother of Jesus," raised suspicion. It shows a noticeable tailing off in engraving skill, leading many to suspect a modern forgery. That's certainly the IAA's opinion in the ongoing court case—and something that's bound to colour reaction to the new found ossuaries.

That's frustrating for Jacobovici, who learned about the Jesus family boxes from Kloner while filming his documentary on the James ossuary. Jacobovici remains a strong defender of Golan but, bottom line, he points out that even the James ossuary's fiercest critics don't deny it is a first-century box or that the first half of the inscription is genuine. A vital distinction, because Jacobovici believes he has proven that the James ossuary is the missing 10th item from the Jesus tomb.

The method of proof is what's known as patina fingerprinting, based on the idea that objects that had been buried together for centuries acquire the same chemical coating. Tests conducted for Jacobovici by the CSI Suffolk crime lab in New York indicate that the James and Jesus patinas do match each other, and that they don't match a random sample of 30 other ossuaries. The potential irony of this, should the second half of the James inscription be ruled a forgery, is rich. It would mean that a forger, failing to recognize the box for what it was, decided to increase its financial value by adding "brother of Jesus," with the result of discrediting the entire ossuary: perhaps the most self-defeating case of gilding the lily ever recorded.

The James box was the catalyst that not only brought Jacobovici into the tomb story but most of his associates, including his producer, Canadian Oscar-winning director James Cameron. And James Tabor, head of the religious studies department at the University of North Carolina, approached Jacobovici to see what he thought of DNA testing on the James box and stayed to join this project. Tabor brought expertise in the history of Jesus' family and a key piece of news: the tomb had not been destroyed in 1980.

The search for the tomb in an altered urban landscape and Jacobovici's entry into it—a brief exploration before the IAA showed up to kick him out—provides the most compelling footage in the film, but it doesn't aid his case. There was never any doubt of the tomb's general whereabouts, just as there's no doubting that the ossuaries, which have never been outside the hands of the IAA since they were unearthed, and their inscriptions, are genuine. What really matters are the names.

THE SMALLEST OF THE 10 LIMESTONE BOXES PROBABLY HELD A CHILD'S BONES. ITS INSCRIPTION READS 'JUDE, SON OF JESUS.'

In that regard, Jacobovici and Tabor have been busy making them less common. The filmmaker found that, in some Apocryphal literature, Mariamene was the name given Mary Magdalene to distinguish her from the Virgin Mary, in those texts she produced miracles worthy of bringing her the name "Master." Tabor pointed out that Yose, the nickname version of Joseph, was rare, seen on no other ossuary ever unearthed, and found in only one Scriptural reference—the Gospel of Mark's list of Jesus' four brothers.

More spectacularly, when trace material from human residue in the Mariamene and Jesus boxes was sent to the Paleo DNA lab at Lakehead University in Thunder Bay, Ont., mitochondrial DNA tests revealed the two individuals were not related, at least not maternally. Jacobovici's conclusion—shades of Dan Brown—is that they were married, and that the child Jude was theirs. That's a predictable, headline-grabbing, and preposterously premature leap, given DNA testing hasn't been done on the other ossuaries. All the *Da Vinci Code*-style supposition is, right now, just smoke and mirrors. Even if true, it only speaks to the relationships between the people in the tomb. It's meaningless to the main issue—who *are* these people? It comes down to the odds, and that is where Andrey Feuerverger, University of Toronto math professor and probability expert, emerges as the most important presence on the team.

Feuerverger worked with widely accepted collections of named Jewish individuals from the era, adding up to about 2,000 people. Few are female: only 162 "biblically" named women are recorded, half (80) are called Mary, making the presence of two Marys predictable. In the far larger masculine catalogue, Joseph is the second most common name, Jude the third, and Jesus the sixth. (Naturally, the incidence of Jesuses who were also sons of Josephs was much smaller.) Ignoring Matthew as a neutral factor, Feuerverger multiplied the incidence of each name by the incidence of the other names in the tomb.

The initial results gave him these odds: there was only one chance in 2,400,000 the tomb was *not* the grave of Jesus and his family. He then divided his results by four to account for biases, further dividing by 1,000 to account for possible undiscovered Jerusalem tombs. That brought him to a one in 600 chance this was not the Holy Family. But add in James, should patina fingerprinting prove he belongs, and the odds rise to one in 30,000, a "statistical slam dunk" in Tabor's words.

And that's the mathematical level at which the debate will play out. It doesn't tackle the odds on matters beyond a statistician's purview—whether Jesus' family would have had a large, costly Jerusalem tomb, whether over the years the ossuaries held the remains of more than one individual, hopelessly skewing the DNA results. Given the manifold responses to Jesus that have grown up over 2,000 years, from the belief of millions that he rose bodily to heaven to the smaller group of skeptics who maintain he never lived at all, the safest odds say acceptance of the grave as his tomb will never be a "slam dunk." M



FINALLY, A BOOK ABOUT... MODERN WITCH CRAZES

Fear itself, not the threat perceived, is what makes a witch hunt, according to Robert Rapley's persuasive book *Witch Hunts From Salem to Guantanamo Bay* (McGill-Queen's UP). And although the Western world always learns that what it feared was far from a mortal threat, with every new crisis we teeter on the cusp of our old ways—presuming guilt, accepting secret accusations, permitting torture. And sometimes, Rapley argues, we do succumb.

MACLEAN'S

BESTSELLERS

COMPILED BY BRIAN BETHUNE

Fiction

		LAST WEEK (WEEKS ON LIST)
1	THE BOOK OF NEGROES by Lawrence Hill	3 (5)
2.	YSABEL by Guy Gavriel Kay	1 (8)
3	THE CUSTODIAN OF PARADISE by Wayne Johnston	6 (23)
4	TRAVELS IN THE SCRIPTORIUM by Paul Auster	(1)
5.	HOUSE OF MEETINGS by Martin Amis	2 (6)
6	WOLF OF THE PLAINS by Conn Iggulden	5 (2)
7	MOTHERS AND SONS by Colm Toibin	4 (7)
8	BANG CRUNCH by Neil Smith	7 (2)
9	THE OTHER SIDE OF THE BRIDGE by Mary Lawson	8 (9)
10	THE END OF THE ALPHABET by C.S. Richardson	(1)

Non-fiction

1	THE GOD DELUSION by Richard Dawkins	1 (19)
2.	VICTORY AT VIMY by Ted Barris	5 (2)
3	SPYMISTRESS by William Stevenson	10 (3)
4.	THE SECRET by Rhonda Byrne	2 (3)
5.	THREE NIGHTS IN HAVANA by Robert Wright	(1)
6	EDITH WHARTON by Hermione Lee	(1)
7	KING, KAISER, TSAR by Catrine Clay	6 (4)
8	ABOUT ALICE by Calvin Trillin	3 (5)
8	IN DEFENSE OF ATHEISM by Michel Onfray	8 (2)
10.	PALESTINE: PEACE NOT APARTHEID by Jimmy Carter	9 (7)



LANGSTROTH recently toured with the Rankin family. In Hamilton, her mother, Anne Murray, watched anxiously from the audience

The strength to stand alone again

Recovered from anorexia and harsh publicity, a famous daughter spreads her wings

BY AARON WHERRY • Sitting around a table at a midtown Toronto coffee shop not far from where she lives, 26-year-old Dawn Langstroth assures her interviewer, repeatedly, that life is good. And she speaks excitedly about a singing career. But eventually, after some prodding, she arrives at what many would consider the essential truth of her life to date. "I tell you what," she says, "I've been through a lot of s--."

A little less than 10 years ago, Langstroth was mildly famous. She appeared in *People* magazine and on *Oprah*, and was interviewed by Diane Sawyer, who Langstroth will tell you is one of the nicest people ever. But the reason for that fame is not readily obvious now. First, because Langstorth's official biography dances around the facts of her birth. ("I don't announce it generally. But, I mean, do you talk about your mom's job life?") And, second, because Langstroth, a young woman who once believed she wouldn't live to see the age of 21, appears altogether healthy.

Though she has always gone by the last name of her father Bill, a successful television producer, Langstroth is Anne Murray's daughter. And, yes, she's the same daughter who went public a decade ago, by her mother's side, to speak about the perils of anorexia. It was a noble attempt to raise awareness, but once you've opened up your personal life to public scrutiny, it's impossible to set limits on the disclosure.

One writer at the time termed the whole media tour an "almost evangelical road show" and a quick search of newspaper archives now leaves little to the imagination. There's Langstroth's troubled relationship with an absent mother. Her ill-fated attempt to become a model. Her expensive stay at a controversial clinic in Victoria. Her parents' failed marriage and her father's alcoholism.

This is perhaps just a week's worth of work for Britney Spears. But then, Britney was once famous for something other than being famous. Langstroth's life has played out in reverse—famous and subsequently scrutinized before she'd actually achieved anything. "I never really regret anything because I've learned so much," she says now. "You don't learn from not having any conflict. So you might as well get it done."

So she did, and so here Langstroth is again, looking to be famous by taking on the one profession she had every reason to avoid. Taking over, say, your family's novelty T-shirt business would be one thing. Following your tremendously successful mother into the music business—to face critical judgment and public exposure—is something else entirely. "I'm trying my best to deal with the pressure, but it makes me work harder," she says. "It makes me want to be a better person. It makes me want to be a better singer, it makes me try that much harder."

Langstroth has toyed with it for years. She recorded a duet with her mother, *Let There Be Love*, around the same time she went public with her anorexia, but only in the last couple of years has she felt ready to make a career of it. She's played shows around Toronto and recently returned from a stint opening for the Rankin Family on their Canadian tour. She's still giddy about the experience, raving even about travelling the country on the stage crew's bus. By the time the tour reached Hamilton, with her mother watching anxiously from the audience, she was completely at ease. "I took to it like a duck to water," she says. "I love it.... I wish I could be on the road right now. If I could be on the road all the time, I would."

Without a recording contract, she's released a five-song EP and is working on a full album. The best display of her talents so far might be *You Don't Want Me*, a simple lament co-written with Ron Sexsmith, a fan and acquaintance of Murray's. "I think she has a beautiful voice," Sexsmith says of Langstroth. "I've always been a fan of singers who didn't have pretennous voices, who just have really natural voices. And I think she has one of those."

There is little pretension to her in general. She was amazed Sexsmith would even consider writing with her. After one particularly successful recording session, she says, "I went home and I sat down to sing [the song] and I couldn't sing it because I was crying. Because I'm like, this is a really good song. This is amazing." She is conscious of the opportunities her background provides, but entirely willing to confront the whispers and questions that come with that. "I guess I just hope that what I have and whatever I can do," she says, "whatever that I can sing will be enough. I mean, all I can do is hope." M



FALL OUT BOY...HAS SOMETHING TO SAY

It was ice cream headaches and sweet avalanche / When the pearls in our shells got out to dance / You call me a bad tipper of the cradle / But I'm just tired yawns for fawns on hunter's lawns / We're the has-beens of husbands / Sharpening the knives of young wives / Take two years and call me when you're better / Take teardrops of mine, find yourself wetter—from *Carpal Tunnel of Love*, on *Infinity on High*

PHOTO ILLUSTRATION BY RONIT NOVAK



ONO HAS SEEN incorporating more and more Asian accents into his dishes. "I'm more comfortable with who I am as a chef now"

And this year's top chef is—'who?'

No one expected 28-year-old Makoto Ono of Winnipeg to take home the gold at Whistler

BY SASHA CHAPMAN • When it comes to competitive cooking, truffles and foie gras are considered the slam dunk—slather them on just about anything (risotto, shepherd's pie) and the dish is sure to win. They're the culinary equivalent, Toronto chef Chris McDonald once said, of a black negligee.

So it was no surprise to find the prestigious Canadian Culinary Championships in Whistler, B.C., riddled with said ingredients. Chefs from across the country had gathered to compete and raise more than $700,000 for Gold Medal Plates, which funds Olympic and Paralympic athletes. The odds favoured the celebrities: Mark McEwan of Toronto, who brought the camera crew from his popular TV show, *The Heat*, to film the competition; Michael Blackie of Ottawa's moneyed Brookstreet Hotel; and Vancouver trendsetter Robert Clark.

As each chef introduced his creation—truffle foam with this, foie gras mousse with that—each dish sounded more over-the-top than the last. Until Makoto Ono, a 28-year-old from Winnipeg, stepped up. Ono, who moves with the slouch of a teenager and sports a spiked mullet, had none of the polish or showmanship of his predecessors—men who were his culinary heroes. He cleared his throat and hung his head. "Wow," he said. "My dish doesn't have any foie gras or truffles in it. I wanted to make something simple, something you could make at home."

Sure, the ingredients sounded simple: pork tenderloin with soy and ginger, smashed spuds topped with smoky matchstick potatoes, an apple-radish salad with yogourt and apple chips. Everyone's heart went out to the guy who couldn't afford to counter up crabs from the coast. But Ono's description was deceptive. Each element was a miniature still life, and the flavours had an essential purity rarely found in Western restaurant food. To nearly everyone's surprise, Ono took home the gold, with nary a truffle in sight.

Although Ono was born and raised in Winnipeg, he had a traditional Japanese upbringing, studying taiko (percussion) and packing sushi and grilled sardines for school lunches. "It was hard being different. Burgers and pasta were a real treat," he recalls. In 1991, Ono's father, Sadao, who had spent 10 years training as a sushi master in Japan, opened Edohei, Winnipeg's first Japanese restaurant. Ono, 13, was expected to help out—washing dishes, prepping in the kitchen. "I hated it. I was always looking for an excuse to go to the comic book stores. It was a way to escape."

Ono began drawing his own stories, eventually studying fine arts at the University of Manitoba. Then his father called him to the sushi bar. Everything changed for Ono. "It was the first time I was out in front of customers, seeing their reacoon. It was instant gratification. I loved it." He dropped out of art school and spent two years making sushi. Then he enrolled at the Dubrulle Culinary Arts Program in Vancouver—to study classical French. "My parents were really upset. They couldn't understand why I'd want to learn something new when I didn't even know how to cook Japanese."

When Ono graduated, he continued studying French, working at La Vieille Gare in Winnipeg and then for a year in London at the Michelin-starred Mirabelle, owned by *enfant terrible* Marco Pierre White. (White once cut the clothes off a cook with a knife when he complained the kitchen was too hot.) When Ono came back to Winnipeg, the prodigal son returned to his father's restaurant. "By then, my dad was convinced that I was serious about cooking." Sadao even let him change the menus to incorporate some newly learned French techniques.

In 2004, while Ono was still helping out his dad, entrepreneur Jameson Watermulder, 27, came calling. Watermulder wanted to launch Gluttons, an ambitious gourmet shop with a 12-table restaurant. The menu would be a $56 four-course prix fixe, which was almost unheard of in Winnipeg. "The money is there—you see people driving $100,000 vehicles to the McDonald's drive-through," says Watermulder. "But it's still hard to convince Winnipeggers to spend $56 on a meal." Nevertheless, reservations at Gluttons are increasingly hard to come by, especially since the Gold Medal Plates win.

Ono is currently contemplating a restaurant consulting gig in Philadelphia, which has some Winnipeggers worried. "There's been a real buzz since the competition," says Jeff Gill, an instructor in the culinary arts program at Winnipeg's Red River College who has known Ono since he was a kid. "He's in the spotlight now." M



TODAY'S SPECIAL...LENTEN FAST FOOD

To help the religious through the privations of Lent, KFC has created the Fish Snacker sandwich for, as a corporate press release states, "American Catholics who want to observe Lenten traditions while still leading busy lifestyles." Made of pollock and tartar sauce, the sandwich may yet come with a celebrity endorsement. KFC's president, Gregg Dedrick, has written Pope Benedict XVI, asking for a papal blessing on the Snacker.

PHOTOGRAPHS BY MARIANNE HELM

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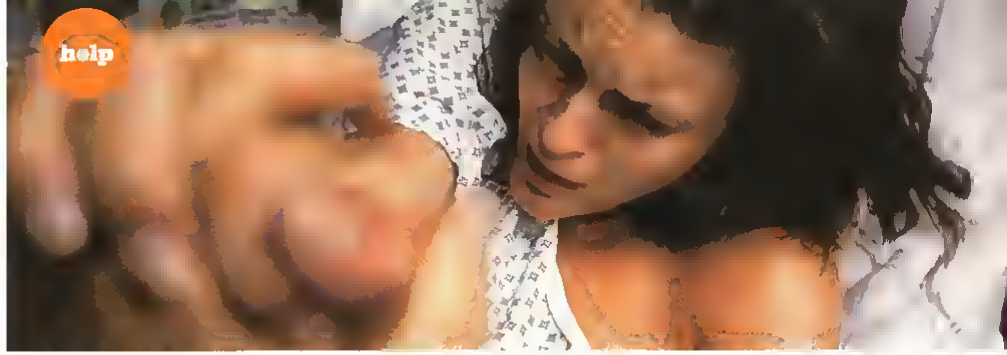
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AT MOMENTS LIKE these, husbands should lock eyes with their wives and say, 'You're doing great. You're beautiful. Your hair looks great.'

Not the time to flirt with the nurse

A new guide teaches fathers-to-be the critical dos and don'ts of the hospital delivery room

BY JULIA MCKINNELL • Manhattan lawyer Jon Lichtenstein was in the delivery room when his wife, Elissa Stein, gave birth to their first child. "It was a bit of a disaster," he admits. The baby was five weeks premature. The couple arrived at the hospital without a packed bag. Stein wasn't given an epidural and without her consent was administered the drug Petocin to induce labour. "The contraction monitor was going nuts," recalls Lichtenstein, who then argued with the nursing staff about whether the monitor was broken. When he wasn't arguing about possible equipment malfunctions, he confesses to mostly hovering in the background. "For me, it was a National Geographic show. I wanted every second of it documented. I basically just hid behind the camera. Even while the baby was being born, I was taking pictures."

For the birth of their second child, "Elissa wanted to make sure I'd be a little more effective than I was," he said. Eureka! *Don't Just Stand There* was born, a new self-help book for fathers on how to be "helpful, clued-in, supportive, engaged, meaningful, and relevant in the delivery room." For Lichtenstein himself, that meant dropping the "National Geographic" photography for the birth of their second child. "We were horrified," he said of later looking at the shots. "It was like watching a terrible slasher film."

In another example of what not to do, Lichtenstein tells the story of the "self-important" father-to-be who continued to act in the delivery room as if he was the centre of attention. "The crowning moment was when he asked the doctor to bring him up a coffee."

When contractions start at home, Lichtenstein's advice to men is to keep your wits and keep track of how long and frequent the contractions are. "You may need to be the voice of reason," he writes. "She may be desperate to get to the hospital but don't let her push you out the door too quickly. You really want to make only one car trip with a labouring woman." Men need to remember to bring a cellphone and charger, a phone list for calling friends and relatives, money for the vending machine, deodorant and breath mints. An iPod or CD player is a good idea too, he says. But remember, "she's in charge of what gets played." It's also not a bad plan to pack a bathing suit. "It sounds crazy," he writes, but "your partner may want to take a shower, and want you with her."

Once at the hospital, a husband should encourage his wife to rest between contractions, "but if she yells at the suggestion, don't make it again."

During the first stage of labour, he has two rips. First, be calm, strong and supportive. "She may curse you like a sailor. Under normal circumstances this might really make you laugh. Do not laugh now." Secondly, "When she's hot and sweaty, placing a cold washcloth on her forehead will make you a hero."

When she's pushing during the second stage of labour, Lichtenstein suggests asking her if she wants to touch the crown of the baby's head. "This can be a powerful motivator. Feeling the baby's head lets her know the ordeal is almost over."

On the subject of what not to say at this point, Lichtenstein advises, "don't tell her that you've heard this doesn't have to hurt." Lock eyes with her and say, "You're doing great. Your body is designed for this. You are beautiful. Your hair looks great."

On a related note, "Don't flirt with the nurses," he says. "Apparently you don't want to have a good-looking nurse, and that can happen." He tells the story of one man who felt he was asking the nurse pertinent questions related to the labour, but his wife didn't see it that way. Other don'ts include: "No checking your stocks or surfing on the wireless; don't return work calls; don't discuss real estate with the doctor while she's having contractions; don't pass out and need to be taken to emergency; avoid the subject of personal injury law when conversing with medical staff."

Among a husband's responsibilities is keeping his wife hydrated with water. Bendy straws are a good tip, he says. "Just bend the straw toward her and she won't have to move her head."

Ultimately, the message is, everything you do, do for her. "You can do everything almost completely right," says Lichtenstein, "but you'll be remembered for the dumbest thing you do. Cool as it is to watch, don't pay more attention to the contraction monitor than to her." M



MOST IMPROVED MICHAEL JACKSON

The troubled singer has reportedly converted to Islam. His brother, Jermaine, converted in 1989 and says Michael had previously expressed curiosity about the faith, especially in the traumatic months following his 2005 acquittal on charges of child abuse. Michael, who has been seen in Bahrain shopping malls in a burka, has now decided to make the switch. Says Jermaine, "Michael and I, and the word of God, we could do so much."

MASTERFILE

THE END

KAREN AERTS

1969-2007

She lived with spina bifida and a love for animals, especially the cheetah cubs at a zoo in Belgium

Karen Aerts was born on Dec. 1, 1969, in Geel, a small town in Belgium's Dutch-speaking, northernmost province of Antwerp. She was the only child of Liserte Aerts, an accountant, and Willy Aerts, a high school principal, and was raised in Mol, 50 km northeast of Brussels, the Belgian capital.

"Karen didn't have an easy childhood," says her friend Renate Kerkhofs. She was born with spina bifida, a neural tube defect that left her spine malformed. Doctors believed Karen would never walk. She did, after repeated surgeries to her spinal cord, although she could not move quickly, or with ease. Then, at 18, while still a student at St. Dimpnalyceum School, where her father was principal, Karen was hit by a motorcycle. Although she recovered, the accident left her more incapacitated. Still, she was optimistic and self-reliant, and rarely spoke about her disability, even to Renate, her closest friend. "She wasn't the complaining kind of person," Renate says, and "never asked for help, unless she really didn't have any other choice."



At 21, Karen enrolled in the Sint-Maria Institute in Antwerp. For two years, she lived in the institute's student residences, and studied graphic design. After graduating in 1992, she took night courses to further specialize, through the state-run Flemish Public Employment Service. After a six-month stint working in London with Salamander Books, Karen returned to Belgium and took a job in digital media. A full-time schedule, however, proved too strenuous. Since 1997, Karen worked part-time, in the mornings, for RG Visualia, a publishing house in the city of Antwerp, where, in 1998, she bought a cozy, first-floor apartment in the rough neighbourhood that surrounds the train station.

After breaking off a long-term relationship in 1992, Karen remained single, yet she was rarely alone. Of her friends, Karen was closest to Renate, whom she had met at college. Renate remembers standing in a Sint-Maria doorway, before her first class began. She felt like running home. "I was kind of a grunge type, and to me, everybody in the class looked the same: very good and sweet, not the kind of people that would try anything off the beaten track in life." Then she saw Karen. An art-school eccentric, Renate says Karen differed from her peers, in her opinions and her behaviour. "We weren't the 'get married and have babies' kind of girls," Renate says. Karen dressed all in black, had a tattoo and a nose ring, and was crazy about British new wave musician Adam Ant, whom she saw perform twice, while living in the U.K.

Since childhood, Karen also had a deep love for animals, and shared her Antwerp apartment with chinchillas, and several cats and dogs. The first animal she adopted was a black kitten. "She was walking down the street in Antwerp," says Renate, "when she saw a sad-looking kitten all by himself in a pet shop. She couldn't resist, and bought him. But she felt a bit betrayed the next day another kitten was sitting alone in the same cage."

For several years, Karen was a regular visitor to the Olmense Zoo, in the nearby municipality of Balen, where she hoped to become a volunteer guide. Karen started visiting Olmense more frequently in the summer of 2005 when a litter of five cheetah cubs was born. Of the cubs, Karen's favourite was a male named Fabo. "She was crazy about Fabo," says Renate. The cub would lean his head on Karen's lap or run in circles around her legs. Once, Karen fell asleep in Fabo's cage, which the zoo staff permitted her to enter.

Six months ago, Karen called Renate in a panic to tell her the Olmense Zoo planned to sell Fabo to an institution in France. Karen decided to adopt Fabo under a zoo program, and paid the equivalent of $12,000 to cover his food and medical care. "It was worth the money," Renate says. "After all, she would enjoy his company for years." Two weeks later, however, Fabo died. Karen continued visiting Fabo's siblings every Sunday, and eventually grew close to a male named Bongo.

On Sunday, Feb. 11, Karen was sitting in the cafeteria with several volunteers after the zoo had closed to visitors at 6 p.m. Leaving the group, Karen entered the cheetah enclosure alone, and was mauled to death there by Bongo, one of two cats inside. It is not known what, if anything, triggered his attack. Although they are social, male cheetahs are territorial and Bongo is nearing sexual maturity. He will not be euthanized. "Karen loved animals," said zoo spokesman Jan Libot. "Unfortunately, the cheetahs betrayed her trust."

BY NANCY MACDONALD

ILLUSTRATION BY MARIAN BANTJES

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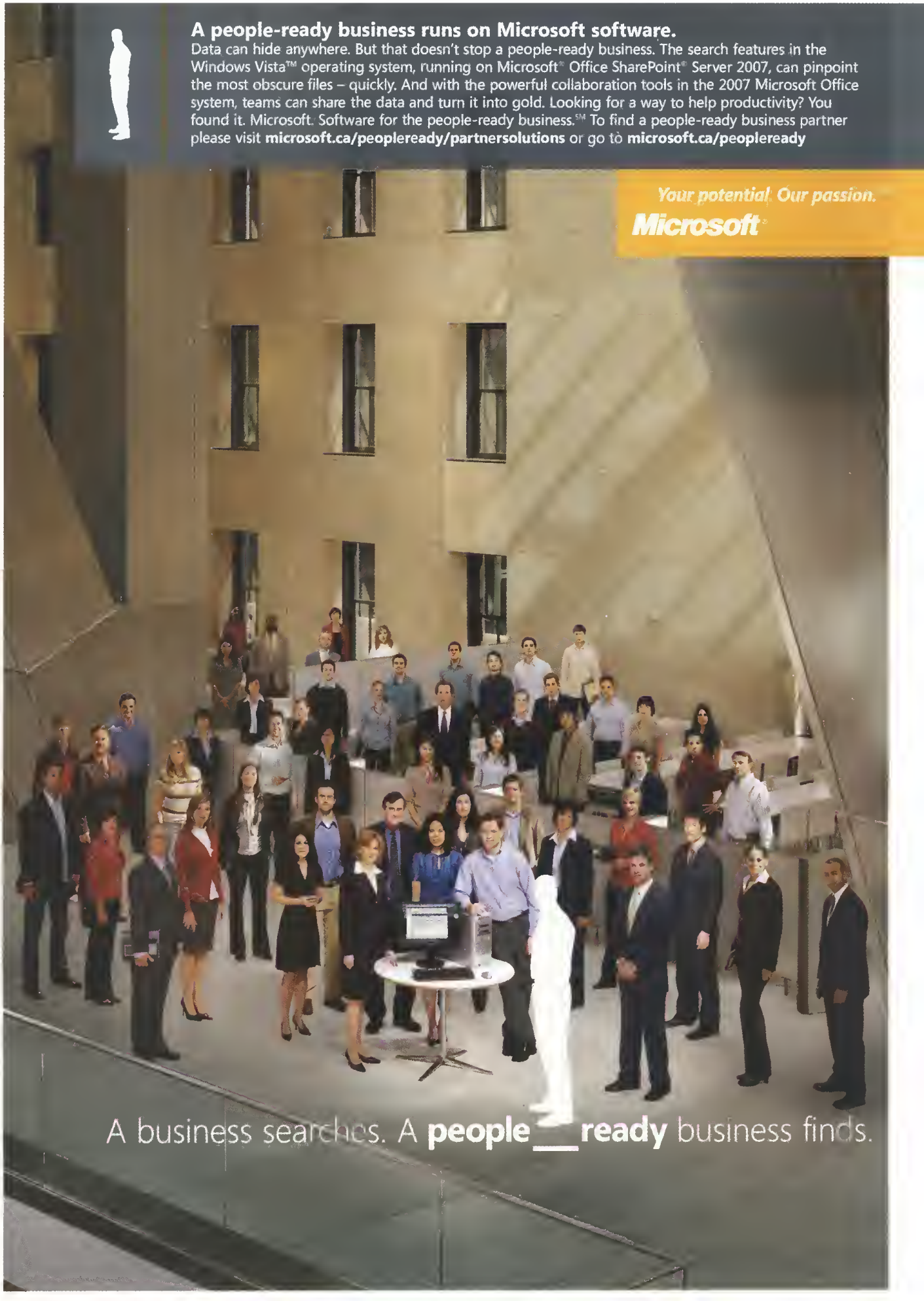
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